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HEARINGS RELATING TO COMMUNIST ACTIVITIES
IN THE DEFENSE AREA OF BALTIMORE—PART 3

*J. Edgar Hoover, Director, Committee on
Un-American Activities*

HEARINGS

BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES

EIGHTY-SECOND CONGRESS

FIRST SESSION

JUNE 19, 20, 26, 27, 28; JULY 10, 12, AND 13, 1951

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HEARINGS RELATING TO COMMUNIST ACTIVITIES IN THE DEFENSE AREA OF BALTIMORE—PART 3

TUESDAY, JUNE 19, 1951

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The Committee on Un-American Activities met pursuant to call at 10:45 a. m. in room 226, Old House Office Building, Hon. John S. Wood (chairman) presiding.

Committee members present: Representatives John S. Wood (chairman), Francis E. Walter, Morgan M. Moulder, Clyde Doyle, James B. Frazier, Jr., Bernard W. Kearney, Donald L. Jackson, and Charles E. Potter.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., assistant counsel; Donald T. Appell, investigator; John W. Carrington, clerk; and A. S. Poore, editor.

Mr. Wood. Let us have order, please.

Let the record disclose that there are present the following members of the committee: Mr. Walter, Mr. Moulder, Mr. Doyle, Mr. Frazier, Mr. Kearney, Mr. Jackson, Mr. Potter, and Mr. Wood, a quorum.

Mr. Attorney, are you ready?

Mr. TAVENNER. Yes, sir.

Mr. Wood. Proceed.

Mr. TAVENNER. The first witness is Mr. Walter McManamon.

Mr. Wood. Mr. McManamon, will you hold up your right hand and be sworn? Do you solemnly swear the evidence you are about to give this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McMANAMON. I do.

Mr. Wood. Have a seat, sir.

TESTIMONY OF WALTER McMANAMON, ACCOMPANIED BY HIS COUNSEL, JOSEPH FORER

Mr. TAVENNER. Will you state your full name, please?

Mr. McMANAMON. Walter McManamon.

Mr. TAVENNER. Are you represented here by counsel?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. FORER. Joseph Forer, 711 Fourteenth Street NW., Washington, D. C.

Mr. TAVENNER. When and where were you born, Mr. McManamon?

Mr. McMANAMON. I was born in Chicago, Ill., January 31, 1904.

Mr. TAVENNER. Will you briefly outline for the committee your educational background?

Mr. McMANAMON. Grammar school. I graduated from grammar school.

Mr. TAVENNER. And will you tell the committee how you have been employed since the completion of your education?

Mr. McMANAMON. Well, I worked as an errand boy and an office boy, and then as a truck driver, and as a salesman.

Mr. TAVENNER. When did you work as a salesman, and for whom?

Mr. McMANAMON. The name of the company, you want?

Mr. TAVENNER. Yes.

Mr. McMANAMON. James Barkley & Co., about 1937, around that time. I am not exactly sure of the dates, but from maybe 1938 or 1939, I would say.

Mr. TAVENNER. And prior to that time how had you been employed?

Mr. McMANAMON. Well, I was a truck driver for a number of years.

Mr. TAVENNER. By whom were you employed as a truck driver?

Mr. McMANAMON. I worked for a paint company. Reick was the name of the company.

Mr. TAVENNER. What was the name of the company?

Mr. McMANAMON. Reick, R-e-i-c-k, I believe.

Mr. TAVENNER. Over what period of time were you employed by the Reick Co.?

Mr. McMANAMON. That was in the twenties, I would say.

Mr. WOOD. Mr. McManamon, will you please raise your voice so that we can hear you up here?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. How were you employed between the twenties and 1937, when you say you were employed by Reick as a salesman?

Mr. McMANAMON. Well, I drove a truck for the city of Chicago for a while, and I had a tavern.

Mr. TAVENNER. Over what period of time was it that you were employed by the city as a truck driver?

Mr. McMANAMON. That was in the late twenties, I would say.

Mr. TAVENNER. And you say you owned a tavern?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. Over what period of time did you operate the tavern?

Mr. McMANAMON. In the thirties, before I became a salesman.

Mr. TAVENNER. Upon the completion of your work as a truck driver for the city, until you were employed by the Reick Co., you operated a tavern. Is that what you mean to say?

Mr. McMANAMON. No. I worked for Reick before I worked for the city, if I recall correctly, and then my next job was operating a tavern.

Mr. WOOD. A little louder, please, sir.

Mr. McMANAMON. Yes, sir. I am sorry.

Mr. TAVENNER. You said you were employed by the Reick Co. in 1937, if I understood you correctly.

Mr. McMANAMON. No. If I said that I was wrong.

Mr. TAVENNER. I may have misunderstood you.

Mr. McMANAMON. I said I was a salesman in 1937 or 1938.

Mr. TAVENNER. Employed by whom?

Mr. McMANAMON. By James Barkley & Co.

Mr. TAVENNER. What was the name of the company?

Mr. McMANAMON. This company that I just mentioned?

Mr. TAVENNER. Yes.

Mr. McMANAMON. James Barkley.

Mr. TAVENNER. James Barkley. Speak a little louder.

Mr. McMANAMON. James Barkley.

Mr. TAVENNER. How were you employed before you were employed by the James Barkley Co.?

Mr. McMANAMON. I operated a tavern before that.

Mr. TAVENNER. When did you begin operating a tavern?

Mr. McMANAMON. In about 1936, I would say.

Mr. TAVENNER. Prior to your operation of the inn, or tavern, how were you employed and where?

Mr. McMANAMON. I was unemployed.

Mr. TAVENNER. Were you in Chicago?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. What was your last employment before operating the tavern?

Mr. McMANAMON. Before I operated the tavern I worked as a bartender.

Mr. TAVENNER. Where?

Mr. McMANAMON. In Chicago.

Mr. TAVENNER. For whom?

Mr. McMANAMON. For John Connors.

Mr. TAVENNER. Will you speak a little louder?

Mr. McMANAMON. John Connors.

Mr. TAVENNER. When did you begin work for John Connors?

Mr. McMANAMON. Well, I worked for him from about the time I left the city until about 1932, I would say, and then I was unemployed, and then I opened up the tavern.

(Representative Morgan M. Moulder left hearing room.)

Mr. McMANAMON (continuing). This is to the best of my recollection.

Mr. TAVENNER. Were you ever in the Baltimore area, employed in and about the city of Baltimore?

Mr. McMANAMON. Oh, yes. That was about 1941. I lived in Baltimore from about, I would say, 1941, until about 1947, although my family remained in Baltimore until about—let's see, I would say I was living in Baltimore until 1948 or the early part of 1949, and then I was transferred to Perth Amboy, and I went back to Baltimore on week ends maybe once or twice a month, and then my family was able to move up to Perth Amboy in February 1950, I believe was the date.

Mr. TAVENNER. Mr. McManamon, the committee is in possession of information from the records of the Chicago Police Department and the files of the State's attorney of Cook County, Ill., indicating that Walter McManamon, alias James Murphy, alias Walter Murphy, was arrested December 5, 1933, and was indicted with Irving Weitzman and Jack London for the murder of one Eli Daiches. Were you arrested and indicted on a charge of that character?

Mr. McMANAMON (after conferring with his counsel). Yes, sir, and the case was nol-prossed.

Mr. TAVENNER. Did you testify during the course of the trial of that case, that is, the case against Irving Weitzman, that while you did not fire the shots that killed Eli Daiches, you and Jack London hired an individual by the name of Jerry Pilot to do the killing?

Mr. McMANAMON (after conferring with his counsel). Yes, sir.

Mr. TAVENNER. Were you present at the time the murder was committed?

Mr. McMANAMON (after conferring with his counsel). I object to this line of questioning because I believe it is not up to the committee to delve into this.

Mr. TAVENNER. Let me ask you this question: I understood you to say that the case was nol-prossed?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. That was as to you?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. But the case was tried as to your codefendant, Irvin Weitzman; that is correct, isn't it?

Mr. McMANAMON (after conferring with his counsel). You asked me if Weitzman was tried?

Mr. TAVENNER. Yes.

Mr. McMANAMON. Yes, sir; but I still object to your question.

Mr. TAVENNER. You stated that you went to Baltimore in 1941. What was the nature of your employment or your business in Baltimore?

Mr. McMANAMON. I was employed at the Bethlehem Fairfield Shipyard. I worked for a steel-construction company for a few months at first, and then I went to work for the Bethlehem Fairfield Shipyard. Do you want me to go from there?

Mr. TAVENNER. No. First tell us the circumstances under which you obtained employment there, how you happened to go to Baltimore?

Mr. McMANAMON. Well, I was out of work and looking for a job, and the shipbuilding industry was starting to boom at that time, hiring people, and I went to Baltimore and got a job in this steel-construction place for a few months, and then while I was still working there I went over to the Bethlehem Fairfield Shipyard and applied for a job, and I was hired.

Mr. TAVENNER. How long were you employed at the Fairfield yard?

Mr. McMANAMON. Well, I worked there in the yard for about a year and a half, and though I still was on the rolls as an employee, I became the business agent of the shipyard workers' union; executive secretary was the correct title.

Mr. TAVENNER. Was that the first position you held with your union in Baltimore?

Mr. McMANAMON. No. First I was a committeeman, I would say sometime in 1942, and then I became a shop steward.

Mr. TAVENNER. What union was that?

Mr. McMANAMON. The Industrial Union of Marine and Shipbuilding Workers.

Mr. TAVENNER. Local 43?

Mr. McMANAMON. Local 43; yes, sir.

Mr. TAVENNER. Of the International Union of Marine and Shipbuilding Workers of America?

Mr. McMANAMON. The correct title was Industrial Union of Marine and Shipbuilding Workers.

Mr. TAVENNER. What time in 1941 did your employment begin?

Mr. McMANAMON. It might have been January 1942 or December 1941. It was in the wintertime, right around the first of the year. That would be the first of 1942.

Mr. TAVENNER. And how long were you there before you became an official in your union?

Mr. McMANAMON. Maybe about 6 months or so.

Mr. TAVENNER. And that position was what?

Mr. McMANAMON. Committeeman of the department.

Mr. TAVENNER. Shop committeeman?

Mr. McMANAMON. Shop committeeman of the welding department.

Mr. TAVENNER. And then you later became shop steward?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. When?

Mr. McMANAMON. That was sometime shortly after I was committeeman. The shop steward who was on that shift was transferred over to the day shift, and we held an election and I was elected shop steward. I don't remember the month, but it was in 1942 sometime.

Mr. TAVENNER. And then you were elevated to a higher position?

Mr. McMANAMON. Then in 1943, I believe it was, around June, we held the election of officers for the whole local. You see, each department had committeemen, and the shop steward was the chief officer of that department, then the officers for the whole local were president and vice president and so on.

Mr. TAVENNER. What office were you elected to in June 1943?

Mr. McMANAMON. I was elected to what was known as business agent, but the constitution, I believe, called it executive secretary.

Mr. TAVENNER. And how long did you hold that position as business agent of local 43?

Mr. McMANAMON. I was elected to the second term, but I resigned before the second term ran out.

Mr. TAVENNER. How long was a term?

Mr. McMANAMON. A term was a year.

Mr. TAVENNER. What was the purpose of your resignation?

Mr. McMANAMON. The national union officers lifted the autonomy of the local. In other words, they sent in an administrator to handle the affairs of the local.

Mr. TAVENNER. Does that mean that at that time they replaced the officers who were then holding office?

Mr. McMANAMON. What is usually done in a case like that, they didn't replace the officers, but there were two factions within the local, and they wanted to put both factions in as a board of advisers, I guess you would call it.

Mr. TAVENNER. You referred to there being two factions at that time. Was one faction a Communist faction and the other a non-Communist faction?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that question on the ground that my answer might incriminate me, might tend to incriminate me.

Mr. TAVENNER. How could it tend to incriminate you to state that there were two factions in your union, one a Communist faction and the other a non-Communist faction, when I have not asked you which faction you belonged to?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer because my answer might tend to incriminate me.

Mr. TAVENNER. You feel that to answer that question might subject you to criminal prosecution?

Mr. McMANAMON (after conferring with his counsel). It might have a tendency to that effect.

Mr. TAVENNER. What is the basis on which you make that statement?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that for the same reason that I gave before.

Mr. TAVENNER. After the autonomy was lifted as a result of the two factions in your union, were you elected to any other positions within your union, local 43?

Mr. McMANAMON (after conferring with his counsel). You asked me if I was elected to any other office after I resigned?

Mr. TAVENNER. Yes.

Mr. McMANAMON. In local 43?

Mr. TAVENNER. Yes.

Mr. McMANAMON. No, not in local 43.

Mr. TAVENNER. Did you transfer to any other local of that union?

Mr. McMANAMON. Right at that time?

Mr. TAVENNER. Well, at any time after that.

Mr. McMANAMON. After, yes.

Mr. TAVENNER. How long after that?

Mr. McMANAMON. Well, I went to work in another plant where a different local had jurisdiction.

Mr. TAVENNER. What was the name of the other plant?

Mr. McMANAMON. The Hercules Co.

Mr. TAVENNER. And where was it located?

Mr. McMANAMON. In Baltimore. You don't want the address, do you?

Mr. TAVENNER. No. I want the date, though, the approximate date, that you went to work for Hercules.

Mr. McMANAMON. That would probably be around 1946, I would say, or maybe the latter part of 1945.

Mr. TAVENNER. How soon was that after you resigned from your position in local 43?

Mr. McMANAMON. Well, I resigned from my position and then I went back to work in the Fairfield shipyard, and I was laid off there when the yard started to close down around, I believe, October 1945 or November 1945.

Mr. TAVENNER. You still remained in your local 43?

Mr. McMANAMON. Yes.

Mr. TAVENNER. After you resigned as the business agent?

Mr. McMANAMON. That is right.

Mr. TAVENNER. What was the full name of the Hercules Co., do you recall? Is it just Hercules Co.?

Mr. McMANAMON. Hercules Ship Maintenance Co., I believe. I may be wrong on that, but it deals with ship maintenance work.

Mr. TAVENNER. Were you acquainted with Sam Fox, who, I believe, was assistant business agent of local 43 at the time that you were a member?

Mr. McMANAMON. I refuse to answer on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. Do you recall the names of those persons who were members of the grievance committee of local 43 while you were the business agent?

Mr. McMANAMON (after conferring with his counsel). I remember some of the members of the grievance committee. I wouldn't say that I could remember them all.

Mr. TAVENNER. Was Aaron Ostrofsky, O-s-t-r-o-f-s-k-y, a member of the grievance committee?

Mr. McMANAMON. I refuse to answer that question for the same reason I have given before.

Mr. TAVENNER. Was Harold L. Round, R-o-u-n-d, a member of local 43?

Mr. McMANAMON (after conferring with his counsel). I don't recall that name.

Mr. TAVENNER. Do you know Alfred MacPherson, M-a-c-P-h-e-r-s-o-n?

Mr. McMANAMON. I refuse to answer because my answer might tend to incriminate me.

Mr. TAVENNER. Was he a member of local 43?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that question for the same reason I have given before.

Mr. TAVENNER. Are you acquainted with Bernard Jaffee, J-a-f-f-e-e?

Mr. McMANAMON. I refuse to answer on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. Will you state whether or not there was, to your knowledge, a Communist Party cell within the Fairfield yard of the Bethlehem Shipbuilding Co. during World War II?

Mr. McMANAMON. I refuse to answer for the same reason I have given before.

Mr. TAVENNER. You stated you became employed by Hercules in 1945 or the early part of 1946. What was the nature of your work there?

Mr. McMANAMON (after conferring with his counsel). Well, generally, although there was other work to the maintenance, most of the work I did while I worked for Hercules was lashing cargo on the ship, work like that. If you were hauling grain, the carpenters built certain things and you lashed it with cable to pull it steady; and if you were hauling coal, you had to put a burlap bag with cement over the pumps and bilges in the hold.

Mr. TAVENNER. What was the type of work you were doing at the place of your former employment at Fairfield when you were not working as business agent for your union?

Mr. McMANAMON. I was a welder.

Mr. TAVENNER. And you engaged in welding in what general type of work? Ship construction?

Mr. McMANAMON. Yes, ship construction.

Mr. TAVENNER. How long were you employed at Hercules?

Mr. McMANAMON. All together, about a year, I would say.

Mr. TAVENNER. Was there a period when you were not employed by them? In other words, were you on a while and then off and then on again?

Mr. McMANAMON (after conferring with his counsel). Yes.

Mr. TAVENNER. How long were you there the first time?

Mr. McMANAMON. A few months.

Mr. TAVENNER. A few months?

Mr. McMANAMON. Yes.

Mr. TAVENNER. Then what occurred?

Mr. McMANAMON. I was discharged.

Mr. TAVENNER. By whom?

Mr. McMANAMON (after conferring with his counsel). By the boss.

Mr. TAVENNER. What is the boss' name?

Mr. McMANAMON. I have it on the tip of my tongue.

Mr. TAVENNER. Is it Mr. La Veck?

Mr. McMANAMON. La Veck, that is right.

Mr. TAVENNER. And what was the cause of your discharge?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. Was any other person discharged at the same time you were?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. You have testified, Mr. McManamon, that you were discharged, and I have asked you whether others were discharged at the same time. Do you contend that to answer that question would tend to incriminate you, after having already stated that you were discharged?

Mr. McMANAMON (after conferring with his counsel). Yes, sir.

Mr. TAVENNER. Do you contend that to state whether or not others were discharged at the same time might subject you to criminal prosecution?

Mr. McMANAMON (after conferring with his counsel). Yes, sir.

Mr. TAVENNER. Do you desire to make any statement to the committee as to your reasons for that position you are taking?

Mr. McMANAMON. No, sir.

Mr. TAVENNER. And what was the date of your discharge, as nearly as you can recall?

Mr. McMANAMON. I wouldn't be able to answer that.

Mr. TAVENNER. I believe you said about 3 months after you began working there?

Mr. McMANAMON. Yes. I think it was in the winter when I started working there, and it was 3 or 4 months after that.

Mr. TAVENNER. What did Mr. La Veck say to you at the time you were discharged?

Mr. McMANAMON. (after conferring with his counsel.) I refuse to answer on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. Were you again employed by Hercules?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. When?

Mr. McMANAMON. About 4 or 5 weeks after that.

Mr. TAVENNER. Will you state the circumstances under which you were reemployed?

Mr. McMANAMON (after conferring with his counsel). Would you ask that question again, please?

Mr. TAVENNER. What were the circumstances under which you were reemployed?

Mr. McMANAMON. How do you mean that?

Mr. TAVENNER. Well, how did it occur that you were reemployed after having been discharged?

Mr. McMANAMON (after conferring with his counsel). I was reinstated by the National Labor Relations Board.

Mr. TAVENNER. In other words, you appealed the decision of your superior to discharge you, and you were sustained on the appeal?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. What was the ground upon which the National Labor Relations Board sustained your appeal?

Mr. McMANAMON (after conferring with his counsel). I was reinstated because I believe the Board ruled, or the hearing officer ruled, that my firing was an antiunion action by the employer.

Mr. TAVENNER. What was the antiunion action with which the employer was charged?

Mr. McMANAMON. Discharging me.

Mr. TAVENNER. Well, on what ground?

(The witness and his counsel conferred.)

Mr. FORER. Would you mind clarifying that question?

Mr. TAVENNER. Let me ask you this question: When you were called in by Mr. La Veck, were you not called in with a Mr. Benjamin Keesey¹ and a person by the name of Jorgensen, and all three of you discharged on the ground that you were Communists, and Mr. La Veck told you he didn't want Communists employed in his plant?

Mr. McMANAMON. I refuse to answer on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. And didn't you take an appeal, and because of the fact it could not be proved at that time that you were a member of the Communist Party, you were sustained in your contention?

Mr. McMANAMON. I refuse to answer on the same grounds that I have given.

Mr. WOOD. Mr. McManamon, it is all a matter of public record, isn't it, why you were discharged and why you were reinstated? Isn't it all a matter of public record? How could it possibly incriminate you when it is a matter of public record already? As a matter of fact, that is what the record shows, isn't it, that you were discharged because of an allegation that you were a member of a Communist organization? Isn't that a matter of public record?

Mr. McMANAMON (after conferring with his counsel). I don't know whether it is in a public record or not.

Mr. WOOD. And isn't it a matter of public record that you were reinstated because of the fact they were unable to prove that you were a member of a Communist organization?

Mr. McMANAMON. I don't know.

Mr. WOOD. I fail to see how it could possibly incriminate you to testify what the facts were about the matter. Whether it is true

¹ Benjamin Keesey, in executive session, denied membership in the Communist Party. His testimony was extremely helpful to the committee.

or not, weren't you discharged upon the allegation of your superior that you were a member of a Communist organization? Whether it was true or not, isn't that the reason given for your discharge?

Mr. McMANAMON. I refuse to answer on the grounds stated before.

Mr. TAVENNER. How long did you remain employed by Hercules the second time?

Mr. McMANAMON. I think the whole time was about a year, or maybe 9 months.

Mr. TAVENNER. I understood you to say that while you were working for Hercules you were transferred to another local. What was the name of the other local?

Mr. McMANAMON. When I went to work for Hercules the first time I transferred to another local.

Mr. TAVENNER. What local was that?

Mr. McMANAMON. Local 28.

Mr. TAVENNER. Did you hold any official position in local 28?

Mr. McMANAMON. I believe I was a committeeman.

Mr. TAVENNER. How long after you united with that local was it before you were made a committeeman?

Mr. McMANAMON. I just couldn't tell you. I just don't remember how long it was. I don't think it was too long. We were temporarily appointed, and then we held an election.

Mr. TAVENNER. Did you hold any other position in that local?

Mr. McMANAMON. In local 28?

Mr. TAVENNER. Yes.

Mr. McMANAMON. No, sir.

Mr. TAVENNER. After you left the employment of Hercules, what employment did you have?

Mr. McMANAMON. I went to work for the International Union of Mine, Mill, and Smelter Workers.

Mr. TAVENNER. And that was about what year?

Mr. McMANAMON. I believe that was about the spring of 1947.

Mr. WOOD. Mr. Counsel, will you permit me to ask the witness a question at this point?

Mr. TAVENNER. Yes, sir.

Mr. WOOD. At the time you were discharged from your employment with the Hercules people you were advised by your superior why you were being discharged; weren't you?

Mr. McMANAMON. Yes, sir.

Mr. WOOD. Without saying what it was, did you deny the allegation then?

Mr. McMANAMON. I refuse to answer that question because my answer would tend to incriminate me.

Mr. WOOD. Do you now deny the allegation that was made against you at that time?

Mr. McMANAMON. I refuse to answer on the same grounds.

Mr. WALTER. Mr. Chairman, before we go further, may I ask a question?

Mr. WOOD. Mr. Walter.

Mr. WALTER. After you were discharged you took an appeal to the National Labor Relations Board; is that correct?

Mr. McMANAMON. Yes.

Mr. WALTER. You had a hearing?

Mr. McMANAMON. Yes.

Mr. WALTER. Before whom?

Mr. McMANAMON. Gee, I couldn't tell you that.

Mr. WALTER. Who testified on behalf of your employer?

Mr. McMANAMON (after conferring with his counsel). The employer himself.

Mr. WALTER. Mr. La Veck testified?

Mr. McMANAMON. Yes; I believe he was there with an attorney, I believe.

Mr. WALTER. It was an open hearing; was it not?

Mr. McMANAMON. I wouldn't call it an open hearing; no.

Mr. WALTER. Well, you were there; weren't you?

Mr. McMANAMON. That is right.

Mr. WALTER. You heard Mr. La Veck testify; did you not?

Mr. McMANAMON. Yes.

Mr. WALTER. What did he testify to?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that question because my answer would tend to incriminate me.

Mr. WALTER. Why do you feel it would incriminate you to repeat here at this open hearing the testimony adduced at another open hearing?

Mr. McMANAMON. I refuse to answer that question on the same grounds I have just given.

Mr. JACKSON. May I ask a question, Mr. Chairman?

Mr. WOOD. Mr. Jackson.

Mr. JACKSON. Did you deny, during the course of the hearing, the allegations made by Mr. La Veck?

Mr. McMANAMON. I refuse to answer because my answer would tend to incriminate me.

Mr. JACKSON. You have already testified to the fact that you asked for a hearing, which must have constituted denial of the charges against you. Did you ask for a hearing before the National Labor Relations Board?

Mr. McMANAMON (after conferring with his counsel). I didn't ask for a hearing. I just filed charges.

Mr. JACKSON. On what ground did you file charges?

Mr. McMANAMON (after conferring with his counsel). I don't recall exactly what the charges said.

Mr. JACKSON. You don't recall why you were interested in obtaining a hearing following your discharge from the Hercules Co.?

(The witness and his counsel conferred.)

Mr. JACKSON. Were you or were you not interested in obtaining a hearing before the National Labor Relations Board?

Mr. McMANAMON (after conferring with his counsel). Well, I was interested in getting my job back.

Mr. JACKSON. Therefore, you were interested in a hearing before the National Labor Relations Board, which was the only way you could be reemployed; is that correct?

(The witness and his counsel conferred.)

Mr. FORER. Would you mind repeating the question?

Mr. JACKSON. Did you seek this hearing to refute whatever charges might have been made against you?

Mr. McMANAMON. Yes; I guess that would be the right answer.

Mr. JACKSON. On the contention that the charges were incorrect, that they were not true?

Mr. McMANAMON (after conferring with his counsel). Well, we felt that it was a violation of the Labor Act.

Mr. JACKSON. Did you feel that the charges against you were correct or not?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that on the grounds that my answer might tend to incriminate me.

Mr. WOOD. Is there any other ground on which you did appeal to the Mediation Board except that the charge upon which you were discharged was incorrect? Did you have any other ground?

Mr. McMANAMON (after conferring with his counsel). That was the only reason that we knew of, that it violated the act.

Mr. WOOD. That the charges were incorrect; is that right?

Mr. McMANAMON (after conferring with his counsel). That my discharge was a violation of the act.

Mr. WOOD. Was it because the charges were not true, or because the charges themselves did not form a proper basis for your discharge? Which was it?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer because my answer might tend to incriminate me.

Mr. KEARNEY. You stated your discharge was a violation of the act. What act do you mean?

Mr. McMANAMON. I believe it was the Wagner Act at that time.

Mr. KEARNEY. What year was that?

Mr. McMANAMON. 1946 or 1947.

Mr. WALTER. In other words, you took the position it was a violation of the law to discharge a man only because he was a Communist. Is that correct?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that question because my answer might tend to incriminate me.

Mr. WOOD. How do you feel about it now, irrespective of yourself? Do you feel it is a proper cause for discharge of a man employed as you were, to say that a man was a Communist? How do you feel about it now?

Mr. McMANAMON. I refuse to answer on the grounds my answer might tend to incriminate me.

Mr. KEARNEY. Are you a member of the Communist Party now?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that question on the grounds that my answer might tend to incriminate me.

Mr. KEARNEY. Have you been a member of the Communist Party in the past?

Mr. McMANAMON. I refuse to answer that question on the same grounds.

Mr. DOYLE. May I ask a question, Mr. Chairman?

Mr. WOOD. Mr. Doyle.

Mr. DOYLE. Did you have legal counsel on your behalf at the time of your appeal to the National Labor Relations Board?

Mr. McMANAMON. You mean an attorney?

Mr. DOYLE. Yes.

Mr. McMANAMON. Or the representative of the union?

Mr. DOYLE. I mean an attorney.

Mr. McMANAMON. No. There was no attorney there for the union.

Mr. DOYLE. Was there an attorney there for you?

Mr. McMANAMON. No, sir.

Mr. DOYLE. You mean that you individually did not have an attorney representing you before the National Labor Relations Board?

Mr. McMANAMON. There was a representative of the union there.

Mr. DOYLE. And who was the legal representative of the union there as an attorney for the union?

Mr. McMANAMON. He wasn't an attorney. He was the representative, an organizer.

Mr. DOYLE. Who was the representative?

Mr. McMANAMON. I believe his name was Richard Carter.

Mr. DOYLE. Richard who?

Mr. McMANAMON. Carter, C-a-r-t-e-r.

Mr. DOYLE. Was he an employee of the union?

Mr. McMANAMON. Yes, sir.

Mr. WOOD. Proceed, Mr. Counsel.

Mr. TAVENNER. Mr. McManamon, there have been several terms used in connection with this appeal or hearing. At one time you mentioned the National Labor Relations Board. At another time the Mediation Board was mentioned. I want to get that straight. Isn't it a fact that in connection with the union of which you were a member, that there was no appeal to the National Labor Relations Board, but under the contract between the union and the employer, it was agreed that there would be a private mediation board set up to hear grievances or disputes of this character, and the parties agreed under the contract to abide by the result of the mediation-board hearing, and that, in fact, it was a mediation-board hearing before which you appeared, instead of the National Labor Relations Board?

Mr. McMANAMON. No. I think you are mistaken. May I be allowed to explain?

Mr. TAVENNER. Yes.

Mr. McMANAMON. You are speaking of the second time I was fired.

Mr. TAVENNER. You were fired again?

Mr. McMANAMON. Yes.

Mr. TAVENNER. By Hercules?

Mr. McMANAMON. Yes. The first time it was the National Labor Relations Board. The second time it was an arbitrator. The union and the company notify the American Arbitration Association—I may be in error about the "association"—and they send a list of people and the union and the company agree on an arbitrator.

Mr. TAVENNER. Tell us about this second occasion. How long was it after the first occasion?

(The witness and his counsel conferred.)

Mr. FORER. What was the question?

Mr. TAVENNER. How long after you were reemployed was it that you were discharged the second time?

Mr. McMANAMON. Well, I would say that was about—I don't know exactly, but it was maybe a few months later.

Mr. TAVENNER. On the same grounds?

Mr. McMANAMON. No; no.

Mr. TAVENNER. You were not discharged the second time for the same reason that you were discharged the first time?

Mr. McMANAMON. No, sir.

Mr. TAVENNER. What were the reasons the second time?

Mr. McMANAMON. I refused to work overtime.

Mr. TAVENNER. You are willing to tell us the reason in this instance?

Mr. McMANAMON. I would have told you about this, but I forgot about the second firing for the time being.

Mr. TAVENNER. Were you reinstated the second time?

Mr. McMANAMON. Yes sir.

Mr. WOOD. By whom?

Mr. McMANAMON. Well, that is where the case went before an arbitrator.

Mr. POTTER. How long was it after the second firing?

Mr. McMANAMON. Not very long; a few weeks.

Mr. WOOD. The arbitrator held you were within your rights in refusing to work overtime, and reinstated you?

Mr. McMANAMON. Yes, sir.

Mr. WOOD. Then how long did you continue with them?

Mr. McMANAMON. Just a short time, a week or so.

Mr. KEARNEY. Were you fired again?

Mr. WOOD. Then how did you become separated from them the third time? Was it voluntary on your part?

Mr. McMANAMON. Yes, sir.

Mr. WOOD. Or was there a charge?

Mr. McMANAMON. No. I quit.

Mr. TAVENNER. And when you quit where did you go to work?

Mr. McMANAMON. For the International Union of Mine, Mill and Smelter Workers.

Mr. TAVENNER. As a union employee?

Mr. McMANAMON. Yes. You want the title?

Mr. TAVENNER. Yes.

Mr. McMANAMON. I believe it is national or international representative.

Mr. TAVENNER. National representative. That was full-time employment?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. Were you also an officer of the Baltimore Industrial Union Council?

Mr. McMANAMON (after conferring with his counsel). Yes, sir.

Mr. TAVENNER. When did you become an officer of that council? Was that when you were still at Hercules?

Mr. McMANAMON. No. That was before.

Mr. TAVENNER. Before you went to Hercules?

Mr. McMANAMON. Yes.

Mr. TAVENNER. Where were you employed at the time that you held that position?

Mr. McMANAMON. I was the business agent for the shipyard workers' union, local 43.

Mr. TAVENNER. You were president, I believe, of the Baltimore Industrial Union Council?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. Will you tell us the organizational set-up of that council, please, and what its functions were?

Mr. McMANAMON. Well, it was made up of the different locals that were part of the CIO, and the locals then formed what was known as the Baltimore City Council.

Mr. TAVENNER. What were the unions represented in that council?

Mr. McMANAMON. Well, I don't know whether I could give them all to you.

Mr. TAVENNER. Those that you can recall.

Mr. McMANAMON. The Amalgamated Clothing Workers; Steelworkers; Shipyard Workers; the National Maritime Union; the Auto Workers; generally whatever locals were in Baltimore that were part of the CIO. I am sure I haven't named them all. I just can't recall any others right now.

Mr. TAVENNER. Did the Communist Party have anything to do with your becoming president of the Baltimore Industrial Union Council?

Mr. McMANAMON. I refuse to answer that question because my answer might tend to incriminate me.

(Representative Donald L. Jackson left hearing room.)

Mr. TAVENNER. Do you recall the names of those who served on that council at the time you were its president?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that question for the reason I have given before.

Mr. TAVENNER. Let me ask you if you know whether or not Florence Schwartz, employed by the National Maritime Union, was a member of that council, that is, the Baltimore Industrial Union Council?

Mr. McMANAMON. I refuse to answer on the grounds that I have stated before.

Mr. TAVENNER. I hand you a form of a letter bearing the letter-head of the Baltimore Industrial Union Council, dated May 21, 1945, which is signed "Respectfully yours, Walter McMANAMON, President," and under that "Florence Schwartz, Chairman of the Year Book."

Will you explain what the function of Florence Schwartz was as chairman of the yearbook, and what other duties she had?

Mr. McMANAMON. I refuse to answer that question on the grounds that I have stated before.

Mr. WALTER. How many people did you send that letter to?

Mr. McMANAMON (after conferring with his counsel). I really couldn't answer that question.

Mr. WALTER. Well, to the best of your recollection. A hundred?

Mr. McMANAMON. I don't even remember the letter.

Mr. WOOD. Is that your signature?

Mr. FORER. There is no signature on there.

Mr. TAVENNER. That letter bears a stamp of Florence K. Schwartz which seems to be a facsimile of her signature. Do you recognize that as her signature or a facsimile of it?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer on the same grounds I have given before.

Mr. TAVENNER. Was Jack Kline, whose correct name is probably Leonard E. Kline, formerly president of UE local 109, a member of the Baltimore Industrial Union Council at the time you were its president?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer on the same grounds that I have stated before.

Mr. TAVENNER. Was Thelma Gerende of the Home Owners Loan local of the Federal Workers affiliated in any way with the Baltimore Industrial Union Council?

Mr. McMANAMON. I refuse to answer that question on the same grounds I have stated before.

Mr. WALTER. When were you elected president, Mr. McManamon?

Mr. McMANAMON. I imagine it would be around the latter part of 1943.

Mr. WALTER. All the newspapers carried an account of the results of the election and of your election as president?

Mr. McMANAMON. I don't know. I don't remember.

Mr. TAVENNER. How were the members of this council chosen? Were they appointed by you as the president?

Mr. McMANAMON (after conferring with his counsel). The delegates to the council were elected by the respective unions.

Mr. TAVENNER. And from those delegates you appointed a certain number to act on this council, didn't you?

Mr. McMANAMON. No, sir. That is wrong.

Mr. WOOD. Did all the various delegates named by the various locals serve on the council?

Mr. McMANAMON. Each local named so many delegates. It was according to the size of the local. There was a limit; the larger locals couldn't have more than a certain amount, so that the smaller locals would have somewhat the same representation. They were elected by their locals according to the size of their local, so many delegates from each local, and those delegates then elected the officers of the council.

Mr. WALTER. At a meeting attended by all the delegates thus selected?

Mr. McMANAMON. Yes. I wouldn't say all. Some maybe didn't show up.

Mr. TAVENNER. At the time you were elected president, other officers were elected; were they not?

Mr. McMANAMON. Yes; but there was one meeting at which nominations were made, and then followed a meeting at which the officers were elected.

Mr. TAVENNER. Who were elected at the meeting at which elections occurred?

Mr. McMANAMON. You asked me do I know the other officers that were elected?

Mr. TAVENNER. That is right.

Mr. McMANAMON. Yes; I remember some of them. I wouldn't say I remember all of them.

Mr. TAVENNER. Who were they?

Mr. McMANAMON. Well, there was John Klausenberg.

Mr. TAVENNER. What position was he elected to?

Mr. McMANAMON. He was the vice president, I believe, at that time. Ulysses di Dominicus I think was elected to an office.

Sam Schmerler.

Mr. TAVENNER. Will you spell those names, please?

Mr. McMANAMON. Schmerler would be S-c-h-m-e-r-l-e-r, and di Dominicus would be d-i—you will have to go on from there yourself.

Mr. TAVENNER. Was Thelma Gerende an officer?

Mr. McMANAMON. Not that I recall.

Mr. TAVENNER. Was she a member of the Communist Party?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer because my answer might tend to incriminate me.

Mr. WOOD. Before we get away from these officers, have you named all that you know?

Mr. McMANAMON. That is all I can recall right now. There were other officers. I believe there were seven or eight officers.

(Representative Francis E. Walter left the hearing room.)

Mr. WOOD. If any of the names were called to your attention, would you tell us if they were officers or not?

Mr. McMANAMON. (After conferring with his counsel). If I remembered who they were; yes.

Mr. WOOD. Proceed.

Mr. TAVENNER. Mr. Irving Dvorin, D-v-o-r-i-n. Wasn't he an officer?

Mr. McMANAMON. Yes; he was an officer.

Mr. TAVENNER. Was Herbert Hirschberg an officer?

Mr. McMANAMON. Was he an officer?

Mr. TAVENNER. Yes.

Mr. McMANAMON. Not that I recall.

Mr. TAVENNER. Was Lillian Levine an officer?

Mr. McMANAMON. No; not that I remember.

Mr. TAVENNER. Jeannette Kaplan, K-a-p-l-a-n.

Mr. FORER. These are still officers you are asking about?

Mr. TAVENNER. Yes.

Mr. McMANAMON. Not to my knowledge, she was not.

Mr. KEARNEY. Were they members of the council?

(Representative James B. Frazier, Jr., left hearing room.)

Mr. McMANAMON. They may have been.

Mr. KEARNEY. Do you know whether they were or not?

Mr. McMANAMON. Well, I believe that Lil Levine was a delegate to the council. I am not sure about the last name.

Mr. TAVENNER. Was Herbert Hirschberg a delegate likewise?

Mr. McMANAMON. I don't think so.

Mr. TAVENNER. Irving Friedman, was he an officer?

Mr. McMANAMON. An officer of the council?

Mr. TAVENNER. Yes.

Mr. McMANAMON. Not that I remember.

Mr. TAVENNER. Was he a delegate or member of the council?

Mr. McMANAMON. He may have been. I wouldn't be able to tell you.

Mr. TAVENNER. Well, now, he was a member of local 43, which is the same local that you were a member of. Isn't that true?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. You certainly recall whether you, as president of this council, had representation from your own local, and who that representative was, don't you? You would remember that?

Mr. McMANAMON. No; I wouldn't remember all of them.

Mr. TAVENNER. If it wasn't this man, who was it? If it wasn't Friedman, who was the representative from your own local on this council of which you were president?

Mr. McMANAMON. I believe we had about 20 of them.

Mr. TAVENNER. Who were some of them? I will ask you if this man Friedman was one of them?

Mr. McMANAMON. That I am not sure of. I could not say "Yes" because I am not sure whether he was or not. I know he was a member of the local.

Mr. TAVENNER. You have stated Sam Schmerler was an officer. Schmerler was of the social-security union of the Office and Professional Workers, was he not?

Mr. McMANAMON. Yes.

Mr. TAVENNER. And he was chairman of the education committee of the Baltimore Industrial Union Council, I believe?

Mr. McMANAMON. I believe that was his title.

Mr. TAVENNER. And you appointed him as chairman of that committee?

Mr. McMANAMON. No.

Mr. TAVENNER. How were the committees chosen? Is that an elected position?

Mr. McMANAMON. Well, the officers were elected, and then the officers themselves—no; I believe he had to run for that. The delegates elected him.

Mr. TAVENNER. You didn't appoint him?

Mr. McMANAMON. No.

Mr. POTTER. Did you have any appointive powers as president of the council?

Mr. McMANAMON. I don't know how you mean that. Could I appoint?

Mr. POTTER. Yes; could you appoint persons to particular positions?

Mr. McMANAMON. By myself?

Mr. POTTER. Yes.

Mr. McMANAMON. No, sir.

Mr. POTTER. Could you do it with the consent of the council?

Mr. McMANAMON. The executive board could appoint.

Mr. POTTER. Would the executive board appoint, or would you appoint and the executive board concur in the appointment?

Mr. McMANAMON. That would be hard to say. You could probably come in with a recommendation, and they might concur. Is that what you mean?

Mr. POTTER. In many organizations a president has some appointive powers for personnel. I am wondering if you were given the power to appoint with the executive board concurring, or if you had sole power to appoint, and in cases where you had that power to appoint, we would like to know what positions they were and whom you appointed.

Mr. McMANAMON. I had no power to appoint.

Mr. KEARNEY. In other words, I take it from your testimony the president of this council was just a figurehead?

Mr. McMANAMON. He was an officer of the council.

Mr. KEARNEY. So far as having authority, he has no authority at all; is that correct?

Mr. McMANAMON. You want me to answer that?

Mr. KEARNEY. If you will.

Mr. McMANAMON. I thought you were just stating something. You couldn't just do anything by yourself, if that is what you want to know.

Mr. POTTER. Was Florence Schwartz appointed or elected by the council?

Mr. McMANAMON. Appointed to what position?

Mr. POTTER. As chairman of the yearbook.

Mr. McMANAMON. I don't remember how.

Mr. POTTER. Apparently she was a person of some stature in your council. She had a chairmanship of a committee. And you don't recall how she received that chairmanship?

Mr. McMANAMON (after conferring with his counsel). No, sir; I don't.

Mr. POTTER. You don't recall?

Mr. McMANAMON. No.

Mr. POTTER. When you were nominated to run for president of the council, did you have opposition? Were more than yourself nominated?

Mr. McMANAMON. I don't believe so.

Mr. POTTER. You believe that you were unopposed?

Mr. McMANAMON. Yes, sir.

Mr. POTTER. Were the other candidates opposed, or were they unopposed?

Mr. McMANAMON. Well, I think some of them were opposed. I wouldn't be sure, though.

Mr. POTTER. Who nominated you for your position as president of the council?

Mr. McMANAMON. I don't remember that.

Mr. POTTER. That is all.

Mr. DOYLE. Did you have a set of written bylaws or rules for the council?

Mr. McMANAMON. Yes, sir.

Mr. DOYLE. Do you know where there is a set of those bylaws that we might obtain now?

Mr. McMANAMON. I don't know where they would be.

Mr. DOYLE. Do you have a set?

Mr. McMANAMON. No, sir.

Mr. DOYLE. Do you know where the set was on file the last you knew?

Mr. McMANAMON. No, sir. I wouldn't be able to tell you.

Mr. DOYLE. Who had custody of it when you were president of the council?

Mr. McMANAMON. Generally the secretary.

Mr. DOYLE. Who was that?

Mr. McMANAMON. I believe it was Schmerler.

Mr. DOYLE. Was there any local which elected delegates to the council which elected more delegates than local 43, or did local 43 elect the largest number? You said local 43 had about 20.

Mr. McMANAMON. I believe local 43 at that time was the largest.

Mr. DOYLE. Was the war in being at the time you were working at Hercules? Was the war in existence? Was it going on?

Mr. McMANAMON. When I worked at Hercules?

Mr. DOYLE. Yes.

Mr. McMANAMON. No. The war was over.

Mr. DOYLE. At which yard was it you refused to work overtime?

Mr. McMANAMON. Hercules.

Mr. DOYLE. Did you refuse more than once?

Mr. McMANAMON. I may have, but I don't just recall. I remember the one time because I was fired that time.

Mr. DOYLE. Think a minute, please. You would certainly remember whether you refused more than once to work overtime.

Mr. McMANAMON. I may have.

Mr. DOYLE. Did you or didn't you?

Mr. McMANAMON. I would say "Yes."

Mr. DOYLE. How many times more than once?

Mr. McMANAMON. Maybe a few times.

Mr. DOYLE. More than a dozen?

Mr. McMANAMON. Oh, no.

Mr. DOYLE. As many as six times?

Mr. McMANAMON. It may be.

Mr. DOYLE. At the time you refused to work overtime, did other persons to your knowledge also refuse to work overtime?

Mr. McMANAMON. I would say "Yes."

Mr. DOYLE. And about how many others, to your knowledge, refused to work overtime at the same time you refused?

Mr. McMANAMON. At the same time that I refused? No; I don't know of any.

Mr. DOYLE. Well, you have just said a minute ago that you would say "Yes" that others have refused.

Mr. McMANAMON. Had refused to work overtime, but I wouldn't say it was at the same time I refused.

Mr. DOYLE. At the same time or in connection with your refusal to work overtime, did others also refuse?

Mr. McMANAMON. I don't remember.

Mr. DOYLE. You had knowledge at the time, didn't you, that others were going to refuse to work overtime at the same time you refused?

Mr. McMANAMON. No, sir. You mean we refused in a group? No, sir. I refused by myself.

Mr. DOYLE. At the time you refused by yourself, did you know that others were going to refuse by themselves?

Mr. McMANAMON. At the time I was fired I was the only one who refused.

Mr. DOYLE. Do you know whether at that time other workers also refused?

Mr. McMANAMON. No. They stayed on the job.

Mr. DOYLE. Are you an officer of any union now of organized labor?

Mr. McMANAMON. No, sir.

Mr. DOYLE. Or of any independent union not affiliated with organized labor?

Mr. McMANAMON. No, sir. Did you say was I a member?

Mr. DOYLE. Are you a member now?

Mr. McMANAMON. You asked if I was an officer, I thought. I am a member of a union; yes, sir.

Mr. DOYLE. What union?

Mr. McMANAMON. Hodcarriers' and Laborers' Union.

Mr. DOYLE. Where is their office?

Mr. McMANAMON. Perth Amboy.

Mr. DOYLE. Were you ever an officer of that union?

Mr. McMANAMON. No, sir.

Mr. DOYLE. The Industrial Union Council had an executive committee, I believe you said?

Mr. McMANAMON. Yes, sir.

Mr. DOYLE. How many members were there of that executive committee?

Mr. McMANAMON. I would say seven or eight or maybe nine.

Mr. DOYLE. How was the executive committee constituted? Who selected the executive committee?

Mr. McMANAMON. The delegates to the council.

Mr. DOYLE. Were those on the executive committee persons who were executive officers, such as president, vice president, secretary, and treasurer, or were the committee chairmen also on the executive committee?

Mr. McMANAMON. Generally one of the officers was the committee-man chairman, although that was not always the rule, but generally, I would say.

Mr. DOYLE. In other words, that is not controlled by the bylaws?

Mr. McMANAMON. Special committees, sometimes chairmen were appointed from the floor.

Mr. DOYLE. Did the bylaws give the council authority to appoint special chairmen?

Mr. McMANAMON. For special committees.

Mr. DOYLE. How many members were in the membership of local 43 when you were business agent? How large a union was it?

Mr. McMANAMON. It fluctuated up and down, because the turn-over at that time in the shipyard was very high. It would sometimes drop to 12,000 or 14,000, and sometimes it might go up to 20,000.

Mr. DOYLE. What was the top membership in that union when you were business agent of it?

Mr. McMANAMON. I think at one time it got over 20,000.

Mr. DOYLE. While you were business agent?

Mr. McMANAMON. I think so.

Mr. DOYLE. What were your duties as business agent in 1943?

Mr. McMANAMON. Well, to take up the grievances of the members of the union with the company.

Mr. DOYLE. With the employers?

Mr. McMANAMON. Yes. We used to have grievance meetings once or twice a week with the company, and administer the affairs of the local, certain functions of it.

Mr. DOYLE. What were the duties of the president of local 43 at the time you were business agent? If you represented the union for the employees with grievances, what were his duties?

Mr. McMANAMON. At that time he was a full-time employee also.

Mr. DOYLE. On salary?

Mr. McMANAMON. Yes.

Mr. DOYLE. How much salary did he get from local 43?

Mr. McMANAMON. I think we both got \$75 a week.

Mr. DOYLE. \$75 a week and expenses?

Mr. McMANAMON. Well, expenses if you went out of town; and then they put an expense account of \$15 a week on later on.

Mr. DOYLE. Did the members of local 43 have power and opportunity to vote as to the amount of the salaries of yourself and the president?

Mr. McMANAMON. That was decided before I became an officer.

Mr. DOYLE. Who decided what the salary would be? The total membership of the union?

Mr. McMANAMON. At a meeting, yes.

Mr. DOYLE. At a meeting of the total membership, or did the executive committee determine it?

Mr. McMANAMON. I couldn't answer that for sure, because that was established before I became the business agent.

Mr. DOYLE. After you were established as business agent, was your salary increased any?

Mr. McMANAMON. Not as business agent, no.

Mr. DOYLE. As any other officer of the union, was your salary increased after you became that officer of the union?

Mr. McMANAMON. I was a member of the national executive board, and when you were sent out to do work for them, they paid you, but that was turned back to the local union, and my salary remained at \$75. A board member's salary, when he was on duty for the national union, was \$100 a week, but those checks I turned over to the local union and kept my \$75.

Mr. DOYLE. What did you do when you were a member of the national board, when you went away? What were your duties as a member of the national board?

Mr. McMANAMON. Well, they would send you into a local to investigate if there was anything that the national officers felt could be straightened out.

Mr. DOYLE. And who selected you as a national officer?

Mr. McMANAMON. I was selected at a convention.

Mr. DOYLE. What convention?

Mr. McMANAMON. Shipyard workers' convention.

Mr. DOYLE. Shipyard workers from all over the country?

Mr. McMANAMON. All CIO shipyard workers.

Mr. DOYLE. You are not a member of the CIO now?

Mr. McMANAMON. No.

Mr. DOYLE. How long have you not been a member of the CIO?

Mr. McMANAMON. About a year and a half.

Mr. DOYLE. Did you resign?

Mr. McMANAMON. Yes.

Mr. WOOD. The committee will stand in recess until 2:30 this afternoon.

(Thereupon, at 12:15 p.m., a recess was taken until 2:30 p.m. of the same day.)

AFTERNOON SESSION

Mr. WOOD. The committee will be in order.

For the purposes of the hearing this afternoon, acting under the authority of the act creating this committee, I set up a subcommittee consisting of Messrs. Moulder, Doyle, Frazier, and Wood. They are all present.

Mr. FORER. Mr. Chairman, for the record may I enter an objection to the absence of a quorum of the full committee, and state that if we are required to proceed it will be under protest.

Mr. WOOD. We are proceeding under a subcommittee, all members of which are present.

Mr. FORER. I understand that, Mr. Chairman, but I want the record to show my objection.

TESTIMONY OF WALTER McMANAMON—Resumed

Mr. TAVENNER. Mr. McManamon, you identified this morning Mr. Sam Schmerler, S-c-h-m-e-r-l-e-r, as one of the officials of the Baltimore Industrial Union Council. Will you state whether or not Mr. Sam Schmerler was a member of the Communist Party, if you know?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer because my answer would tend to incriminate me.

Mr. TAVENNER. You also identified Mr. Irving Dvorin, D-v-o-r-i-n, as a member of the council. Do you know how he spells his first name? You identified him as a member of the Baltimore Industrial Union Council. Do you know how he spells his first name?

Mr. McMANAMON. I imagine he spells it I-r-v-i-n-g. I don't know.

Mr. TAVENNER. You don't know?

Mr. McMANAMON. I wouldn't be sure.

Mr. TAVENNER. He was port agent of the Marine Cooks' and Stewards' Union, was he not?

Mr. McMANAMON (after conferring with his counsel). Yes.

Mr. TAVENNER. Was he known to you to be a member of the Communist Party?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. Was Mr. Harry Connor, C-o-n-n-o-r, of the National Maritime Union, a member of the Baltimore Industrial Union Council?

Mr. McMANAMON (after conferring with his counsel). Yes.

Mr. TAVENNER. Was he a member of the Communist Party to your knowledge?

Mr. McMANAMON. I refuse to answer on the grounds that I have stated before.

Mr. TAVENNER. Mr. McManamon, according to a letterhead of the Baltimore People's Book Forum, which was a project or program of the Baltimore Council of Applied Religion, you were named as one of the sponsors of the forum. Will you tell the committee what you know about that forum, about its organization, how it was formed?

(Representative Bernard W. Kearney entered hearing room.)

Mr. McMANAMON (after conferring with his counsel). I just don't remember the Baltimore Forum. I can't place that.

Mr. TAVENNER. Do you recall that you were a sponsor of the book forum?

Mr. McMANAMON. I don't remember.

Mr. TAVENNER. Mr. McManamon, according to the Daily Worker of January 1, 1948, you and Mr. Dvorin, D-v-o-r-i-n, issued a statement endorsing the candidacy of Henry Wallace. This statement, according to the Worker, was to have been signed by 84 Maryland labor officials and shop stewards. Do you recall that?

Mr. McMANAMON (after conferring with his counsel). I don't recall the letter, signing the letter.

Mr. TAVENNER. Do you recall endorsing Henry Wallace?

Mr. McMANAMON (after conferring with his counsel). Yes, I believe I did.

Mr. TAVENNER. Do you recall how that endorsement was obtained, that is, the endorsement by you and Mr. Dvorin and others in the article to which I referred?

Mr. McMANAMON. I refuse to answer on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. Going back to the question I asked you relating to the Baltimore People's Book Forum, I refer to a release on the letter-head of that organization which shows the names of certain sponsors, and your name appears as one of the sponsors.

Will you look at the release I hand you and state if that does not refresh your recollection about the organization?

Mr. WOOD. Let the record show that Mr. Kearney is present.

Mr. McMANAMON. I don't remember that.

Mr. TAVENNER. Do you see your name as one of the sponsors?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. Well, were you a sponsor?

Mr. McMANAMON. I just don't remember anything about it.

Mr. TAVENNER. You just don't recall?

Mr. McMANAMON. No, I don't.

Mr. TAVENNER. I notice the name of Maurice Braverman, B-r-a-v-e-r-m-a-n, is also one of the sponsors listed. Do you know Mr. Braverman?

Mr. McMANAMON. I refuse to answer on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. Mr. Alfred MacPherson is another. Do you know whether or not Mr. MacPherson was a member of the Communist Party?

Mr. McMANAMON. I refuse to answer on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. The release which I handed you was signed in typewriting by Winifred Chappell, secretary. Do you know whether Winifred Chappell was a member of the Communist Party?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer on the same grounds that I have previously stated.

Mr. TAVENNER. Are you acquainted with George Morris, columnist of the Daily Worker?

Mr. McMANAMON. I refuse to answer on the grounds that my answer would tend to incriminate me.

Mr. TAVENNER. In an article by George Morris published in the Daily Worker of February 5, 1948, you were identified as secretary-treasurer of the labor division of the Wallace committee. Were you secretary-treasurer of the labor division of that committee?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. The article referred to quotes you as having said that your group expected to bring in 200 union and shop delegates to the convention. Did you bring a large delegation to the convention?

Mr. FORER. Will you identify the convention?

Mr. TAVENNER. This is the section of the article that I was referring to. This is an article entitled "How They Build for Wallace in Baltimore," and reads as follows:

The same simple but nevertheless most effective method is getting under way among unions. Walter McManamon, international representative of the Mine, Mill, and Smelter Workers and secretary-treasurer of the labor division of the Wallace committee, said his group expects to bring 200 union and shop delegates to the convention.

Well, what convention was this writer referring to, if you know?

Mr. McMANAMON (after conferring with his counsel). Are you referring to the convention in Philadelphia?

Mr. TAVENNER. No, I take it from the article it is a Maryland convention in behalf of Wallace. Do you recall leading a delegation to such a convention?

Mr. McMANAMON. Yes, I attended. I think what you are referring to is a convention in Baltimore; is that right?

Mr. TAVENNER. Yes, I think it was held in Baltimore.

Mr. McMANAMON. Yes, I attended that convention.

Mr. TAVENNER. Will you tell the committee just how you became interested in organizational work with the Wallace committee, at whose instance you became active in that work?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer on the grounds I have stated before.

Mr. TAVENNER. How were you chosen as secretary-treasurer of the labor division of the Wallace committee?

Mr. McMANAMON. I refuse to answer on the same grounds that I have stated before.

Mr. KEARNEY. Mr. Chairman, may I ask a question?

Mr. WOOD. Mr. Kearney.

Mr. KEARNEY. Mr. Witness, do you wish to leave the impression with this committee that by answering the question pertaining to the Progressive Party you are liable to incriminate yourself?

Mr. McMANAMON. Well, that was my answer.

Mr. KEARNEY. I know it was your answer, but would you mind answering my question? Is there any ground for incrimination by associating yourself with the Progressive Party at the time Mr. Wallace was nominated for President?

Mr. McMANAMON. I didn't follow you that time, I am sorry.

Mr. KEARNEY. Will the stenographer read the question.

(The question referred to was read by the reporter.)

Mr. McMANAMON. I don't know the answer to that question.

Mr. KEARNEY. I don't think you know the answer to any question. That is all.

Mr. WOOD. Mr. Moulder, do you have a question?

Mr. MOULDER. Were you at that time a member of the Progressive Party? Were you affiliated with the Progressive Party?

Mr. McMANAMON (after conferring with his counsel). I believe I was, yes, sir.

Mr. MOULDER. You know it, don't you?

Mr. McMANAMON. Yes. I would say "Yes."

Mr. MOULDER. That is all.

Mr. WOOD. Proceed.

Mr. TAVENNER. The Daily Worker of February 16, 1948, contains an article by Robert F. Hall entitled, "Maryland Parley Sets Up Third Party," in which you are identified as being appointed to the state executive committee, and I want to read you the names of several of the parties listed as officers of the Progressive Party of Maryland or appointed to its executive committee, and ask you if you knew any of those individuals as members of the Communist Party.

Harold Buchman, secretary.

Mr. McMANAMON (after conferring with his counsel). I refuse to answer on the grounds I have stated before.

Mr. TAVENNER. Michael J. Clifford,¹ C-l-i-f-f-o-r-d, state executive committee.

Mr. McMANAMON. I refuse to answer on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. William Boyd Coleman, former president of the Celanese local of the CIO Textile Workers.

Mr. McMANAMON. I refuse to answer on the same grounds.

Mr. TAVENNER. William W. Hill, president of UE Local 130.

Mr. McMANAMON. I refuse to answer on the same grounds.

Mr. TAVENNER. Jacob Green of the National Maritime Union.

Mr. McMANAMON. Jacob Green?

Mr. TAVENNER. Jacob Green.

Mr. McMANAMON. I refuse to answer on the same grounds.

Mr. TAVENNER. Mrs. Reba Lewis, L-e-w-i-s, on the resolutions committee.

Mr. McMANAMON. I refuse to answer on the same grounds.

Mr. KEARNEY. Would you answer if you knew that they were not members of the Communist Party?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer on the same grounds.

Mr. TAVENNER. Irving Dvorin, who was on the credentials committee. The spelling is D-v-o-r-i-n.

Mr. McMANAMON. I refuse to answer on the same grounds.

Mr. TAVENNER. The Daily Worker of May 25, 1948, contains an article to the effect that 44 Maryland citizens petitioned Maryland Senators to prevent the passage of the Mundt bill. You are identified as one of the signers.

Will you tell the committee the circumstances under which you became a signer of that petition to the Maryland Senators?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that on the same grounds.

Mr. TAVENNER. The Daily Worker of September 23, 1948, carries a story entitled "1,000 Unionists Hit Indictment of Communists." You are identified, along with Jack Zucker, Z-u-c-k-e-r, international representative of the United Electrical, Radio, and Machine Workers, as protesting the indictment of the 12 Communist leaders.

Will you tell the committee the circumstances under which you united in that movement, if you did?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that question on the same grounds.

Mr. TAVENNER. Did you know Jack Zucker to be a member of the Communist Party?

Mr. McMANAMON. I refuse to answer that question on the same grounds.

Mr. TAVENNER. After the completion of your employment at Hercules, I understand you became the international representative of another union. Was that what you told us this morning?

Mr. McMANAMON. Yes. That was the title, the international representative of the International Union of Mine, Mill, and Smelter Workers.

¹ Michael J. Clifford, in executive session, denied membership in the Communist Party. He claimed to possess no knowledge of Communist Party activities in Baltimore or elsewhere. The attitude of Mr. Clifford was demonstrated through statements to the effect that he did not consider Harry Bridges a member of the Communist Party, even though he had been convicted of perjury for denying Communist Party membership.

(Representative Morgan M. Moulder left hearing room.)

Mr. KEARNEY. Mr. Chairman, I would like to ask the witness why he has to consult with his attorney for the answers to questions which only he knows. That is an observation on my part.

Mr. WOOD. The chairman can't control that.

Mr. TAVENNER. That, you stated, was a full-time employment by you?

Mr. McMANAMON. Yes.

Mr. TAVENNER. How long were you employed in that capacity in Baltimore?

Mr. McMANAMON. Well, I think I went to work for them in 1947, and I worked for them up until about August of last year, I would say.

Mr. TAVENNER. Until about August 1950?

Mr. McMANAMON. Yes, but not in Baltimore, although there was a local in Baltimore that I serviced when I first went to work for them.

Mr. TAVENNER. How long were you employed by that union in Baltimore?

Mr. McMANAMON. I would say it was sometime in 1949 that they sent another representative in and sent me to New Jersey. I went back on a few occasions to the local, and went in on a couple meetings with the company with a man then representing the local.

Mr. TAVENNER. You say you went to New Jersey in 1949?

Mr. McMANAMON. I believe it was 1949.

Mr. TAVENNER. In other words, you were transferred to a similar position?

Mr. McMANAMON. The same position, but in a different area. I wouldn't say a different area. It was the same district, but different locals to service.

Mr. TAVENNER. What locals did you service when you were in New Jersey?

Mr. McMANAMON. You want the numbers of the locals?

Mr. TAVENNER. Yes.

Mr. McMANAMON. Local 365.

Mr. TAVENNER. Where was that located?

Mr. McMANAMON. Perth Amboy.

Mr. TAVENNER. What type of work were they engaged in?

Mr. McMANAMON. American Smelting and Refining Co., smelting and refining copper, lead, and so forth.

And I serviced the local at Vulco Brass.

Mr. TAVENNER. What was the number of that local?

Mr. McMANAMON. I believe it was 670, something like that.

Mr. TAVENNER. Where was it located?

Mr. McMANAMON. It was located just outside of Roselle. We held our union meetings in Roselle, but the plant was not in Roselle.

Mr. TAVENNER. What was the name of the plant?

Mr. McMANAMON. Vulco Brass Co.

Mr. TAVENNER. What others?

Mr. McMANAMON. The Marcy Foundry.

Mr. TAVENNER. Will you spell that, please?

Mr. McMANAMON. M-a-r-c-y Foundry, Perth Amboy.

Then I serviced a local outside of Pittsburgh a while; and I serviced two locals at Wilmington, Del. I serviced them while I was in Baltimore, as well as the one outside of Pittsburgh.

And I serviced the local at the platinum company in Newark. I don't remember if it was the American Platinum Co. I think that was the name.

And I serviced the Barth Smelting local for a while.

Mr. TAVENNER. How do you spell that?

Mr. McMANAMON. B-a-r-t-h.

Mr. TAVENNER. Where is that located?

Mr. McMANAMON. In Newark.

And a local in Trenton. It was connected with the Pittsburgh Plate Glass Co.; I forget the name of the company. That was in Trenton, N. J.

I serviced the Bona Fide Genesco local also, in Perth Amboy.

Mr. TAVENNER. Will you spell that, please?

Mr. McMANAMON. B-o-n-a F-i-d-e G-e-n-e-s-c-o, I believe.

That is all I can remember. I may have serviced other locals temporarily.

Mr. TAVENNER. You continued from 1949 to serve in that capacity as international representative up until what time?

Mr. McMANAMON. August 1950; either the 15th of August or the 1st of September, something like that.

(Representative Bernard W. Kearney left hearing room.)

Mr. TAVENNER. Did you resign from your position at that time, or how was your employment terminated?

Mr. McMANAMON. I resigned.

Mr. TAVENNER. What was the reason for your resignation?

Mr. McMANAMON. I refuse to answer that on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. Were you discharged?

Mr. McMANAMON. From the union?

Mr. TAVENNER. From your position.

Mr. McMANAMON. No. I said I resigned.

Mr. TAVENNER. Well, was the resignation a forced resignation?

Mr. McMANAMON (after conferring with his counsel). No.

Mr. TAVENNER. It was purely voluntary?

Mr. McMANAMON. Yes, sir.

Mr. TAVENNER. Was there a division in the factions in that union which played any part in your resignation?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that on the same grounds that I have stated before.

Mr. TAVENNER. Have you held any other position with the Mine, Mill and Smelter Workers' Union other than that of international representative?

Mr. McMANAMON. Just what went with the job of international representative. I believe at one time I was appointed regional director. There was no difference in the pay or anything. It was just to coordinate the work more.

Mr. TAVENNER. As regional director, what territory did that include?

Mr. McMANAMON. The same area.

Mr. TAVENNER. Mr. McManamon, the committee is in possession of information that Mr. Stanley Grabowski, G-r-a-b-o-w-s-k-i, who was formerly president of local 365, wrote you a letter on July 24, 1950, in which he said he was highly disturbed and resentful of the action taken by the executive board in urging the members of the union to sign the Stockholm peace petition.

Do you recall receiving the letter?

Mr. McMANAMON. I may be wrong on this, but I think that was a copy of a letter sent to somebody else, wasn't it?

Mr. TAVENNER. The information I have is that it was a letter addressed to you.

Mr. McMANAMON. Well, I may be wrong on this, but I am under the impression it was a letter sent to the officers of the union, and I received a copy of it.

Mr. TAVENNER. As one of the officers?

Mr. McMANAMON. No. I was not an officer of the union. I was representative.

Mr. TAVENNER. But you received one of those copies?

Mr. McMANAMON. I recall receiving a letter. I don't remember the contents of it.

Mr. TAVENNER. Will you tell the committee the circumstances under which the executive board directed or endeavored to influence the members of the union to sign the Stockholm peace petition?

Mr. McMANAMON (after conferring with his counsel). I refuse to answer that on the same grounds that I have stated before.

Mr. TAVENNER. Who were the members of the executive board at the time that the membership was urged to sign the Stockholm peace petition?

(The witness conferred with his counsel.)

Mr. FORER. Can you give a date on that?

Mr. TAVENNER. The letter was written July 24, 1950, so we might fix the time as being at that date and for a reasonable time prior to that.

Mr. FORER. You want the members of the executive board of the international union?

Mr. TAVENNER. Yes.

Mr. McMANAMON. Of the international union, not the local?

Mr. TAVENNER. Of the union as to which this complaint was being made.

Mr. McMANAMON. John Clark was the president. The vice presidents were Reid Robinson and Orvell Larson. The secretary-treasurer was Maurice Travis. Then there was a board member from each district. I may not be able to give it to you one, two, three, but there was Chase Powers.

Mr. TAVENNER. Spell that.

Mr. McMANAMON. C-h-a-s-e P-o-w-e-r-s.

And Al Pezzati.

Mr. TAVENNER. Will you spell that?

Mr. McMANAMON. P-e-z-z-a-t-i.

Charles Wilson.

There was a Canadian board member, too, but I don't remember his name.

Mr. TAVENNER. They were the individuals who made up the executive board?

Mr. McMANAMON. Yes. I believe there were seven districts—no; eight districts; a member from each district; a president; two vice presidents; and a secretary-treasurer.

Mr. TAVENNER. Did the board urge the membership to sign the Stockholm peace petition by letters directed to the members, or how did the influencing take place?

Mr. FORER. You have been assuming that it was done, Mr. Tavenner.

Mr. TAVENNER. There certainly has been no denial of it. Let me ask you the question, if there is anything uncertain about that: Did the executive board urge the members to sign the Stockholm peace petition as stated in the letter by Mr. Stanley Grabowski, formerly president of local 365?

Mr. McMANAMON. I wouldn't be sure, but it probably was either in the union paper or a letter generally went to the president of the local and the secretary.

Mr. TAVENNER. You say "probably." You were the international agent. You knew how that was being done, did you not?

Mr. McMANAMON. I just don't recall this Stockholm peace petition. I just can't place it. I don't remember having any petitions.

Mr. TAVENNER. Did you sign the petition?

Mr. McMANAMON. That I don't recall.

Mr. TAVENNER. With reference to the letter from Mr. Stanley Grabowski, do you not recall that letter, in which he stated: "We have been fighting the Reds in the union for a long time."

Mr. McMANAMON. I don't recall the letter which you are speaking of.

Mr. TAVENNER. Had Mr. Grabowski been fighting communism in the union?

Mr. McMANAMON. I refuse to answer that on the grounds that I stated before.

Mr. TAVENNER. Was Mr. Herbert Lerner also an organizer in your union?

Mr. McMANAMON. Yes.

Mr. TAVENNER. Was he a member of the Communist Party to your knowledge?

Mr. McMANAMON. I refuse to answer that on the same grounds as previously stated.

Mr. TAVENNER. You have told us the date when you resigned from your position in the union.

Mr. McMANAMON. That is approximately.

Mr. TAVENNER. I don't recall what it was. What was it?

Mr. McMANAMON. Either August or September 1950.

Mr. TAVENNER. Have you been identified with any union activities since that date?

Mr. McMANAMON. Just paying my dues, that is all.

Mr. TAVENNER. To what union?

Mr. McMANAMON. To the A. F. of L. Common Laborers and Hod-carriers' Union.

Mr. TAVENNER. Where is that located?

Mr. McMANAMON. Perth Amboy. You are speaking of the local, where the local I belong to is located?

Mr. TAVENNER. Yes; as well as any other union you belong to at this time.

Mr. McMANAMON. That is the only union I belong to.

Mr. TAVENNER. When did you join that union?

Mr. McMANAMON. When I went to work, I believe in September 1950.

Mr. WOOD. At the time you went to work and joined this union in which you retain membership now, were you interrogated as to whether or not you belonged to the Communist Party?

Mr. McMANAMON (after conferring with his counsel). No.

Mr. WOOD. Was any question asked you along that line at all?

Mr. McMANAMON. No.

Mr. TAVENNER. What is the nature of your present employment?

Mr. McMANAMON. I am a laborer on construction.

Mr. TAVENNER. What type of construction work?

Mr. McMANAMON. Building construction.

Mr. TAVENNER. What type of building?

Mr. McMANAMON. Well, right now they are building a smelter for a company in Perth Amboy, and I am working there.

Mr. TAVENNER. The American Smelting & Refining Co.?

Mr. McMANAMON. No.

Mr. TAVENNER. What company is it?

Mr. McMANAMON. Raritan Copper Co. That is what they call it. It has another name. It is referred to as the Raritan Copper Co.

Mr. TAVENNER. Mr. Chairman, I have no further questions.

Mr. WOOD. Mr. Doyle.

Mr. DOYLE. No questions.

Mr. WOOD. Mr. Frazier.

Mr. FRAZIER. No questions.

Mr. WOOD. Is there any reason why we should not excuse this witness?

Mr. TAVENNER. No, sir.

Mr. WOOD. Very well. The witness will be excused.

(Witness excused.)

(Testimony of the next witness, Herbert Kransdorf, heard by a subcommittee of the Committee on Un-American Activities on this day, is printed in another volume under same main title, pt. 1, with subtitle, "Based on Testimony of Mary Stalcup Markward.")

HEARINGS RELATING TO COMMUNIST ACTIVITIES IN THE DEFENSE AREA OF BALTIMORE—PART 3

WEDNESDAY, JUNE 20, 1951

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The Committee on Un-American Activities met, pursuant to call, at 10 a. m., in room 226, Old House Office Building, Hon. John S. Wood (chairman) presiding.

Committee members present: Representatives John S. Wood (chairman), Francis E. Walter, Morgan M. Moulder (appearance as noted in transcript), Harold H. Velde, Bernard W. Kearney, Donald L. Jackson, and Charles E. Potter.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., assistant counsel; Donald T. Appell, investigator; John W. Carrington, clerk, and A. S. Poore, editor.

Mr. Wood. The committee will be in order, please.

Let the record show that the following members of the committee are present: Messrs. Walter, Velde, Kearney, Jackson, Potter, and Wood, a quorum of the full committee.

Who is the first witness this morning, Mr. Tavenner?

Mr. TAVENNER. I would like to call as the first witness this morning Mr. Irving Dvorin.

Mr. Wood. Mr. Dvorin, will you stand and be sworn, please?

Do you solemnly swear that the evidence you will give this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DVORIN. I do.

Mr. Wood. Have a seat.

TESTIMONY OF IRVING DVORIN, ACCOMPANIED BY HIS COUNSEL, JOSEPH FORER

Mr. TAVENNER. Will you state your full name, please?

Mr. DVORIN. Irving Dvorin.

Mr. TAVENNER. Are you represented by counsel?

Mr. DVORIN. Yes, sir.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. FORER. Joseph Forer, 711 Fourteenth Street NW., Washington, D. C.

Mr. TAVENNER. Mr. Dvorin, when and where were you born?

Mr. DVORIN. I was born in Hudson County, N. J., October 24, 1904. (Representative Francis E. Walter left hearing room.)

Mr. TAVENNER. Will you tell the committee, please, what your educational background has been?

Mr. DVORIN. High-school graduate.

Mr. TAVENNER. Will you also state to the committee what your record of employment has been since that time?

Mr. DVORIN. I have had several jobs. I don't recall exactly where they were, but the major portion of my employment has been in the maritime industry for over 20 years.

Mr. TAVENNER. Has that been continuous for the past 20 years?

Mr. DVORIN. I have been a seaman and a union official.

As a seaman, I sometimes quit a ship when I felt I didn't want to go out on another trip. I stayed ashore for a short period of time, and then sailed again.

Mr. TAVENNER. How are you presently employed?

Mr. DVORIN. I am port agent for the National Union of Marine Cooks and Stewards, New York branch.

Mr. TAVENNER. How long have you held that position?

Mr. DVORIN. The present one?

Mr. TAVENNER. Yes.

Mr. DVORIN. Since approximately May 1 of last year. I don't recall the exact date in which the certification of election to office became final, but it is approximately that date.

Mr. TAVENNER. Before you held that position as port agent in New York, what official position did you have, if any, with the Marine Cooks and Stewards?

Mr. DVORIN. I was the port agent in the port of Baltimore.

Mr. TAVENNER. How long were you port agent in Baltimore?

Mr. DVORIN. From March 1945; until I was elected to be New York port agent.

Mr. TAVENNER. Prior to your acceptance of that position in Baltimore in 1945, how and where were you employed?

Mr. DVORIN. Well, I was unemployed for a couple of months, due to the fact that I just didn't want to work. I wanted a little rest.

Mr. TAVENNER. Now, prior to those few months, how were you employed, and where?

Mr. DVORIN. I was dispatcher for the union in San Francisco.

Mr. TAVENNER. How long were you engaged in that work in San Francisco?

Mr. DVORIN. A little over a year.

Mr. TAVENNER. Had you been employed in Baltimore at a time prior to 1945?

Mr. DVORIN. No, sir.

Mr. TAVENNER. How did you obtain the employment with the Marine Cooks and Stewards in Baltimore?

Mr. DVORIN. I was elected to the job by the membership of the union.

Mr. TAVENNER. That was in the national union?

(Representative Francis E. Walter returned to hearing room.)

Mr. DVORIN. The national union.

Mr. TAVENNER. Will you describe to the committee what the organizational set-up is of the Marine Cooks and Stewards in Baltimore at the present time, or what it was when you left there?

Mr. DVORIN. When I left there?

Mr. TAVENNER. About a year ago.

Mr. DVORIN. I am sorry; I don't follow the question.

Mr. TAVENNER. We want to know what the organizational set-up is of the union in Baltimore.

Mr. DVORIN. At the present time?

Mr. TAVENNER. Yes.

Mr. DVORIN. There isn't any.

Mr. TAVENNER. Well, what was it at the time you were engaged as port agent in Baltimore?

Mr. DVORIN. I am sorry, I have to make——

Mr. TAVENNER. That is, what was the organizational set-up?

Mr. DVORIN. We were a branch of the national union.

Mr. TAVENNER. Now, what were the responsibilities and duties of the port agent?

To be more specific, what were your responsibilities as port agent at Baltimore?

Mr. DVORIN (after conferring with his counsel). Could you please make that a little more clear for me?

Mr. TAVENNER. Yes. What were your duties as port agent when you were port agent of the Marine Cooks and Stewards at Baltimore?

Mr. DVORIN. Well, I had a job which was set forth by the constitution of the union, and I carried that out.

Is that what you mean?

Mr. TAVENNER. Yes. Tell us——

Mr. DVORIN. The exact nature of my work, is that what you have reference to?

Mr. TAVENNER. Yes; a general description of what you were required to do.

Mr. DVORIN. I am sorry. I didn't understand you clearly. That is why the delay occurred.

Mr. TAVENNER. That is all right.

Mr. DVORIN. I was the executive officer of the union at the Baltimore branch. My duties were to see that the ships were fully manned; that the contractual obligations were lived up to, both by the members of the union and by the companies with which we had contracts.

I had to service ships, adjudicate any disputes, and at times I was assigned to look into some legislative matters pertaining to the union. That was a side job. I had to come over to Washington here to go over to the Maritime Commission to take up some problems pertaining to quarters and things of that nature.

That is the general line of my duties.

Mr. TAVENNER. Why were you transferred to New York? Or what were the circumstances under which you left Baltimore?

Mr. DVORIN. I was elected as the New York branch agent.

Mr. TAVENNER. Did the Marine Cooks and Stewards close the port of Baltimore, that is, their branch of the union there at the time you went to New York?

Mr. DVORIN. Yes, sir; if that is what you mean, yes, sir. I will explain that a little more fully, if you wish.

Mr. TAVENNER. All right.

Mr. DVORIN. The business had dropped off. Many ships had been laid up. There was terrific unemployment, and consequently I felt that it was no longer necessary to maintain a branch there, that the same servicing of the ships and looking out in general for the union business could just as well be handled from the New York branch.

Consequently, there was a retrenchment which the union took, along the same lines as retrenchment took place all over the country, in all industries, and in Government.

Mr. POTTER. In other words, when you were in New York, you still were responsible for the Baltimore area; is that right?

Mr. DVORIN. Yes, sir. I have the entire Atlantic seaboard to look out for. If any ships come in and any problems arise, which I cannot adjust over the telephone and which require me to go to any specific port, I would have to go.

Mr. TAVENNER. Mr. Dvorin, the committee is informed that there was in the city of Baltimore a water-front section of the Communist Party.

Were you a member of that section of the Communist Party at any time while you were engaged in your work in Baltimore?

Mr. DVORIN. I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. Now, the committee is also informed that there was an organization known as the Trade Union Commission of the Communist Party of Maryland and the District of Columbia as a part of the Communist Party.

Were you at any time a member of that Trade Union Commission?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Will you tell the committee the names of any persons who are known to you to have been members of the Trade Union Commission of the Communist Party of Maryland and of the District of Columbia?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Are you acquainted with a person by the name of William P. H. Brandhove?

Mr. DVORIN (after conferring with his counsel). I refuse the question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Mr. Brandhove, a former member of the Communist Party, identified you as a Communist before the California Committee on Un-American Activities.

He also identified other officers of the Marine Cooks and Stewards as members of the Communist Party, such as Hugh M. Bryson, president of the Marine Cooks and Stewards.

Were you acquainted with Mr. Bryson?

Mr. DVORIN (after conferring with his counsel). Yes, sir; he is president of my union.

Mr. TAVENNER. Was he a member of the Communist Party to your knowledge?

Mr. DVORIN. I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. TAVENNER. The Daily People's World of May 10, 1950, in reporting the San Francisco convention of the Marine Cooks and Stewards, states that:

Progressive candidates for posts in the six port branches were swept into office by wide margins.

You occupied one of those port branches, did you not, selected at the convention in May 1950?

Mr. DVORIN. I don't understand your question.

Mr. TAVENNER. Were you elected to a position as port agent at the convention in May 1950, in San Francisco?

Mr. DVORIN. No, sir.

Mr. TAVENNER. Did you attend that convention?

Mr. DVORIN. Yes, sir.

Pardon me, in May?

Mr. TAVENNER. In May 1950.

Mr. DVORIN. If you could please refer to the—let me answer it this way: If there was a convention in May 1950—that is last year.

Mr. TAVENNER. Yes.

Mr. FORER. May of last year.

Mr. DVORIN. There was no convention in May of last year.

Mr. TAVENNER. I hand you the issue of May 10, 1950, of the Daily People's World, referring to the convention. It may refresh your recollection.

Mr. FORER. It doesn't say anything about the convention.

Mr. DVORIN. My answer is the same. There was no convention. There was no convention at that time, sir.

I would like to have my other answer corrected there, when I answered "Yes" about that, Mr. Chairman. I was a little confused.

Mr. WOOD. Very well. It will stand corrected according to your recollection about it now.

Mr. DVORIN. Thank you, sir.

Mr. WOOD. At this point Mr. Velde and I of the committee must be absent for about 15 or 20 minutes. During that period of time I will set up a subcommittee composed of Mr. Walter, Mr. Kearney, Mr. Jackson, and Mr. Potter to continue this investigation until I return.

(Representatives John S. Wood and Harold H. Velde left hearing room.)

Mr. FORER. Mr. Walter, may the record show that we are proceeding under protest; that the witness was subpoenaed to testify before a full committee, and that, therefore, we are proceeding under protest in the absence of a quorum of the full committee?

Mr. WALTER. Let the record show that the subcommittee set up by the chairman is conducting the hearing from this time on.

Proceed.

Mr. TAVENNER. Mr. Dvorin, the article which I showed you in the issue of the Daily People's World, refers to an election which was held in the Marine Cooks and Stewards. Although it may not have been a convention, you are familiar with the election that the article refers to?

Mr. DVORIN. Yes, sir; I am very familiar with it, sir.

Mr. TAVENNER. Were you elected at that time?

Mr. DVORIN. Yes, sir.

Mr. TAVENNER. To the position of—

Mr. DVORIN. Port agent.

Mr. TAVENNER. Port agent?

Mr. DVORIN. Yes, sir.

Mr. WALTER. Is that the election in Baltimore?

Mr. APPELL. In San Francisco.

Mr. TAVENNER. The voting was tallied in San Francisco, although it was not a convention that was held there.

That is correct, is it not?

Mr. DVORIN. Yes, sir; that is correct.

Mr. TAVENNER. Now, the Daily People's World in the article that I have referred to states that:

Progressive candidates for posts in the six port branches—

One of which you held—

were swept into office by wide margins.

Will you explain to the committee what is meant by "progressive candidates" in the terms used in the labor movement in that particular article?

Mr. DVORIN (after conferring with his counsel). I can't answer for what language any newspaper uses in writing up a press release.

Mr. JACKSON. What would you consider to be a progressive candidate?

Mr. DVORIN. I would say that a progressive candidate is a candidate who pledges himself to go out and battle for conditions of employment; for improvement of wages, and the proper and general improvement of the welfare of the members of the union.

Mr. TAVENNER. As a matter of fact, isn't the term "progressive candidate" used by the Communists to describe their Communist Party members?

Mr. DVORIN (after conferring with his counsel). Will you repeat the question again, please?

Mr. TAVENNER. Will you read the question to him, please?

(The pending question, as above recorded, was read by the reporter.)

Mr. DVORIN. I don't know what term the Communists use to describe their candidates.

Mr. TAVENNER. Elected with you at this election were a number of officials described as "progressive candidates." Nathan Jacobson, for instance, was one who was elected to the position of port agent in San Francisco. Do you know whether or not he was a member of the Communist Party?

Mr. DVORIN. I refuse to answer that question on the ground that the answer might tend to incriminate me.

Mr. TAVENNER. Harry Mehrebecki was elected to the position of patrolman in San Francisco. Was he a member of the Communist Party?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Harry Lawrence was elected to the position of patrolman in San Francisco. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question for the same reason.

(Representative Morgan M. Moulder entered hearing room).

Mr. TAVENNER. Al Thibodreaux, patrolman, San Francisco. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Charles Nichols was elected to the position of port agent at Seattle. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Robert A. Ward was elected to the position of patrolman at Seattle. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Adair Sim was elected to the position of patrolman at Seattle. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Harold Robinson was elected to the position of port agent at Portland. Was he a member of the Communist Party?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Wallace Ho, elected to the position of port agent in Honolulu. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Joe Johnson was elected to the position of port agent at Wilmington. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. The Daily Worker of May 25, 1947, lists you as one of 1,000 individuals who signed a statement by the Civil Rights Congress opposing Red baiting and attacks on Communists.

Do you recall the circumstances under which your signature was obtained to that statement?

Mr. DVORIN. I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. POTTER. Mr. Chairman, may I interpose here?

Mr. WALTER. Yes.

Mr. POTTER. With regard to the list of names that counsel previously read to you, do you know the gentlemen that he listed?

Mr. DVORIN. You mean the elected officers?

Mr. POTTER. Yes.

Mr. DVORIN. The elected officers of the union?

Mr. POTTER. Yes.

Mr. DVORIN. Or the elected patrolmen?

Mr. POTTER. That is right; the names of the officials he listed to you.

Mr. DVORIN. I am acquainted with them as elected officials of the union.

Mr. TAVENNER. Mr. Dvorin, were you connected in any way with the Baltimore Industrial Union Council or the Maryland State Industrial Union Council while you were in Baltimore?

Mr. DVORIN. Yes, sir.

Mr. TAVENNER. What position, if any, did you hold on that council?

Mr. DVORIN. If I recollect correctly, I was first a delegate to the council from our union, and then subsequently, at the election of officers of the council, I was elected as trustee. The following year, I believe, I was elected as a vice president of the council.

Mr. TAVENNER. Was Mr. Walter McManamon president of the council at any time while you were a member of it?

Mr. DVORIN. I am not too sure, but I believe he was the president of the council when I first became a delegate to the council. I am not too sure. I believe he was, though.

Mr. TAVENNER. What was the period of your membership on the council?

Mr. DVORIN. As a delegate?

Mr. TAVENNER. Yes; as a delegate and as an officer. What was the entire period covered by your connection with it?

Mr. DVORIN. Well, it started in 1945, shortly after I arrived in Baltimore as port agent for the union and continued until—I imagine it continued until I left the port when we closed the branch.

Mr. TAVENNER. How soon after you assumed your duties as port agent was it that you became affiliated with the council?

Mr. DVORIN. As soon as the request for affiliation was approved I became a delegate to the council. I don't recall the exact date. It was within a short period of time after I got to Baltimore.

Mr. TAVENNER. A matter of a few weeks or a few months?

Mr. DVORIN. It wouldn't be over 2 or 3 months.

Mr. TAVENNER. Was Jake Kline also a member of the council representing the United Electrical Workers, Local 109?

Mr. DVORIN (after conferring with his counsel). I don't remember.

Mr. TAVENNER. Was Thelma Gerende from the Home Owners Loan local of the Federal Workers a member of the council while you were there?

Mr. DVORIN. I don't remember that, either.

Mr. TAVENNER. Are you acquainted with Herbert Hirschberg, the international representative of the UE?

Mr. DVORIN. No, sir.

Mr. TAVENNER. Was Lillian Levine a member of the council representing local 12 of the Office and Professional Workers?

Mr. DVORIN. I believe she was.

Mr. TAVENNER. Jeanette Kaplan, from local 109 of the UE; was she also a member?

Mr. DVORIN. I don't remember.

Mr. TAVENNER. Sam Schmerler, of the Social Security local of the Office and Professional Workers, was also a member of the council; was he not?

Mr. DVORIN. I believe so.

Mr. TAVENNER. Well, now will you give us the names of any other persons who were members? I might ask you whether Herbert Kransdorf, patrolman of the National Maritime Union, was a member of the council.

Mr. DVORIN. I wouldn't know.

(Representative Bernard W. Kearney left the hearing room.)

Mr. TAVENNER. Was Harry Connor, also connected with the National Maritime Union, a member of the council?

Mr. DVORIN. I have a vague recollection that he was, but I am not too certain. I might say I believe he was.

Mr. TAVENNER. Was James Drury, connected with the National Maritime Union, a member of the council?

Mr. DVORIN. The Baltimore Industrial Union Council?

Mr. TAVENNER. Yes.

Mr. DVORIN. At the time I was there?

Mr. TAVENNER. While you were there, yes.

Mr. DVORIN. No, sir.

Mr. TAVENNER. Well, who were the members on the council from your own union; that is, the Marine Cooks and Stewards, besides yourself?

Mr. DVORIN. Well, I don't recall the names. We would elect a delegate, and if he shipped out he would be replaced by another.

member who was ashore. It is pretty far back for me to remember. They were changing.

Mr. TAVENNER. Who were the other officials of the council at the time you were its vice president?

Mr. DVORIN. I don't remember. If I could see a list, I might be able to identify some names of people who were officers of the council.

Mr. TAVENNER. Who was president while you were vice president?

Mr. DVORIN. John Klausenberg.

Mr. TAVENNER. What is the name?

Mr. DVORIN. John Klausenberg.

Mr. TAVENNER. Are there any others whose names you can recall? Who was the secretary and treasurer at the time you were vice president?

Mr. DVORIN. I believe Sam Schmerler was.

Mr. TAVENNER. Will you give the name again?

Mr. DVORIN. Sam Schmerler. I am sorry I can't think of any more. If I had a list I would be able to identify some names perhaps.

Mr. TAVENNER. Was Walter McManamon, whom you identified as its president at one time, a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. Was Lillian Levine, identified by you as one of the members of the council, a member of the Communist Party?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Was Sam Schmerler, an officer of the council at the time you were vice president, a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Was Harry Connor, as to whom you were uncertain as to his membership in the council, a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Mr. Dvorin, in the Daily Worker of July 19, 1946, there appears an article with reference to the appearance of a group of individuals before the City Council of Baltimore which was conducting hearings before the Maryland State Legislative Council relating to the civil-rights bill or bills. You were identified in the article as being present at the hearing, along with the following persons whose names I will read to you.

I want to ask you whether or not any of these persons were members of the Communist Party, to your knowledge:

I. Duke Avnet, chairman of the Baltimore branch of the National Lawyers' Guild.

Mr. DVORIN. I refuse to answer that question on the ground that the answer might tend to incriminate me.

Mr. TAVENNER. Were you acquainted with Mr. Avnet?

Mr. DVORIN. I know an attorney by the name of Avnet.

Mr. TAVENNER. What was the nature of your acquaintanceship with him?

Mr. DVORIN. Legal.

Mr. TAVENNER. Were you acquainted with Mr. Maurice Braverman, an attorney?

Mr. DVORIN (after conferring with his counsel). You asked me a question before to identify them.

Mr. FORER. The pending question is whether you are acquainted with him. That is the only question.

Mr. TAVENNER. That is right. I referred you to this article which stated that you and certain other persons were present at this hearing on the State civil-rights bill, and I am listing the names of the persons who appeared, according to this article, with you, and I am asking if you know whether or not they are members of the Communist Party.

Mr. DVORIN. Is that what you are asking me now?

Mr. TAVENNER. Yes.

My last specific question was whether or not you were acquainted with Mr. Maurice Braverman.

Mr. MOULDER. I think he is referring to the question before that.

Mr. DVORIN. I can't follow that. I would like to have one specific question.

Mr. MOULDER. Will you repeat the question, Mr. Tavenner?

Mr. TAVENNER. The question is whether you are acquainted with Mr. Maurice Braverman.

Mr. DVORIN. I know an attorney by the name of Maurice Braverman.

Mr. TAVENNER. In Baltimore?

Mr. DVORIN. In Baltimore.

Mr. TAVENNER. Is he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. Mr. Jack Myers is another of those mentioned in this article as an organizer for the United Electrical Workers and representing the American Veterans' Committee. Are you acquainted with Jack Myers?

Mr. DVORIN. I am not too sure. The name sounds familiar to me, but I am not too sure.

Mr. TAVENNER. Louis Perlman was reported to have been present representing lodge 215 of the IWO. Were you acquainted with Mr. Perlman?

Mr. DVORIN (after conferring with his counsel). No, sir.

Mr. TAVENNER. Harold Buchman, representing the National Lawyers' Guild, was reported as having been present. Were you acquainted with Mr. Harold Buchman?

Mr. DVORIN. I am acquainted with an attorney by the name of Harold Buchman.

Mr. TAVENNER. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. Harold Kotzka, representing the Food, Tobacco, and Agricultural Workers, was one of those reported present at this hearing. Are you acquainted with him?

Mr. DVORIN. The name is not familiar to me.

Mr. TAVENNER. Herbert Kransdorf, representing the National Maritime Union, was reported as present. Were you acquainted with him?

Mr. DVORIN. I know of him since he appeared before the committee yesterday.

Mr. TAVENNER. Well, did you know him back in 1946?

Mr. DVORIN (after consulting with his counsel). Yes; I met him.

Mr. TAVENNER. Where did you meet him?

Mr. DVORIN. I think in the course of my duties as port agent for the union. I think I ran across him several times. He was serving as ship steward, and I was aboard ships.

Mr. TAVENNER. Was he in Baltimore during the entire period of the time you were working there?

Mr. DVORIN. That I couldn't answer. I don't know.

Mr. TAVENNER. Was he there in 1945 when you first took up the assignment, your duties there?

Mr. DVORIN. I don't know.

Mr. TAVENNER. How was Mr. Kransdorf employed at that time?

Mr. DVORIN. I believe he was patrolman for the National Maritime Union.

Mr. TAVENNER. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. This article also states that there was present Dorothy Rose Blumberg, representing the Communist Party. Were you acquainted with Dorothy Rose Blumberg?

Mr. DVORIN. It is a public name. I have seen the name in print.

Mr. TAVENNER. Were you personally acquainted with her?

Mr. DVORIN. No, sir.

Mr. TAVENNER. Philip Ennis, representing the American Youth for Democracy, was also present at the time of the hearing. Were you acquainted with Mr. Ennis?

Mr. DVORIN. No, sir; I don't think so.

Mr. TAVENNER. Now, the article referred to, that is, the article of July 19, 1946, of the Daily Worker, states that Jack Myers, secretary of the American Veterans Committee, introduced all of the speakers. Were you introduced as a speaker?

Mr. DVORIN. Perhaps. I don't recall too clearly. I appeared before the council on several occasions, and it may be that I appeared at this time also.

Mr. TAVENNER. Will you tell the committee how this delegation was organized and who was responsible for its organization and appearance before the council?

Mr. DVORIN (after consulting with his counsel). I can't recall the circumstances.

Mr. TAVENNER. Was the Communist Party instrumental in the organization of the group?

Mr. DVORIN (after consulting with his counsel). I refuse to answer that question on the ground that the answer might tend to incriminate me.

Mr. TAVENNER. Mr. Dvorin, the Daily Worker of March 5, 1948, carries an article entitled "Port Agent Hits Arrests." It is datelined Baltimore, and reads as follows:

Irving Dvorin, port agent of Marine Cooks and Stewards Union here, said in a protest to Attorney General Tom Clark that the arrests mark an attack on the whole labor movement and endangers the Bill of Rights.

It is referring to the arrests of Gerhart Eisler, John Williamson, Charles Doyle, and Ferdinand Smith. Then the article continues:

Speaking for a group of Baltimore unionists, he demanded relief of hunger strikers on immediate bail. Local unionists intend to picket the Justice Building in Washington tomorrow.

Do you recall that incident?

Mr. DVORIN (after consulting with his counsel). Yes, sir.

Mr. TAVENNER. Well, who were the Baltimore unionists for whom you were speaking?

Mr. DVORIN. There were a group of trade-unionists throughout the city that felt that the arrests were an attack against the labor movement.

Mr. TAVENNER. The arrest of Gerhart Eisler was an attack against the labor movement?

Mr. DVORIN. Yes, sir.

Mr. TAVENNER. Will you explain how?

Mr. DVORIN. The fact that the rights of individuals were affected, that they were imprisoned without bail.

Mr. TAVENNER. Yes.

Mr. WALTER. How did Gerhart Eisler participate in any labor movement?

Mr. DVORIN. It wasn't Gerhart Eisler as an individual. It wasn't any single person involved there as an individual. It was the fact that they were held without bail, and it was a protest against the fact that they were held without bail, that bail should be granted them.

(Representative Donald L. Jackson left the hearing room.)

Mr. TAVENNER. So the labor movement had nothing to do whatever with the arrest of Gerhart Eisler, as far as you know.

Mr. FORER. They didn't arrest him.

Mr. DVORIN. We didn't arrest him. Nobody in the labor movement, to my knowledge, arrested him.

Mr. TAVENNER. Of course I know that is correct. But you stated you were protesting the arrest by the Justice Department of Gerhart Eisler.

Mr. DVORIN. And others.

Mr. TAVENNER. And others—because of the threat to labor, as I understood you to say. But Gerhart Eisler had no connection with labor whatever, did he?

Mr. DVORIN. I just said that it wasn't a question of the individuals involved. Because the entire question was the right to bail which was the question which was involved. That was the reason for the protests.

Because the individuals named there were involved at the time is the only reason that they became connected with it. But it was a broad question of the rights to bail.

Mr. TAVENNER. Tell the committee the circumstances under which this protest was organized, and by whom it was organized. Was it organized by you?

Mr. DVORIN (after consulting with his attorney). I refuse to answer that question on the ground that my answer might tend to incriminate me.

(Representative Donald L. Jackson returned to hearing room.)

Mr. WALTER. Why do you think it would incriminate you to organize a movement to protest against the holding of someone without bail?

Mr. DVORIN (after consulting with his counsel). I would like to change that other answer.

I did have a part in organizing the protest.

Mr. TAVENNER. Who were the others who assisted you in it?

Mr. DVORIN. At this time I don't remember the names of the others.

Mr. TAVENNER. Well, describe just what part you played in the organizing of this movement.

Mr. DVORIN. I called up some people, trade-unionists, and asked them if they would join with me in a protest. I don't remember at this time exactly who it was I called. I made quite a number of calls, and got some favorable responses. Some said they would think it over, and others told me they would let me know later.

Mr. TAVENNER. With whom did you confer before you decided to place the calls to the trade-unionists?

Mr. DVORIN. I don't think I conferred with anyone. I acted on my own initiative.

Mr. TAVENNER. Did the Communist Party, or any members of the Communist Party, counsel you in any way in connection with this movement which you state you originated?

Mr. DVORIN (after consulting with his counsel). I don't recall anybody counseling me as to what I should do in this case.

It was simply a question of people that were entitled to release on bail, and I felt very deeply about that. On my own initiative, without counsel from anyone, I began to approach other people.

Mr. TAVENNER. Did the Communist Party, or Communist members, influence you, or assist you, or counsel you, in any way in regard to this movement?

Mr. FORER. Mr. Tavenner, I wonder if you would mind calling to the attention of the committee that the Court of Appeals for the Second Circuit in New York held by decision that these men were entitled to bail.

Mr. TAVENNER. Well, that has nothing to do with what I am asking.

Mr. FORER. Well, you seem to think that protesting their being held without bail was un-American.

Mr. TAVENNER. Not at all. That is not the question.

Mr. WALTER. From the information the committee has, these people were arrested on deportation warrants.

Mr. FORER. They were arrested on deportation warrants, and the Attorney General asserted the right to hold them without bail. They weren't the only people. Later on he arrested others.

There were a lot of protests all over the country, including a lot of protests from labor, and eventually the courts held that the Attorney General could not refuse to give bail.

I really think this is not a proper subject for the committee to go into.

Mr. POTTER. Gerhart Eisler wasn't too good a risk when he was out on bail. He jumped the country and is now cultural commissar in Russia, I believe.

Mr. FORER. Gerhart Eisler was on bail on a criminal proceeding here.

Mr. POTTER. But he jumped bail.

Mr. FORER. Sure, he jumped bail, but what has that got to do with the principle of bail which this witness is talking about and is being questioned on?

Mr. JACKSON. I would submit that the questions that are to be asked are within the jurisdiction of the committee and the counsel. I suggest that counsel be permitted to pursue any line of questioning he considers necessary to the development of essential information.

Mr. FORER. I understand. I just call that to the attention of the committee.

Mr. WALTER. This rings a familiar note to me because it involves, as I remember the case—it is very hazy—the question of whether or not the Administrative Procedures Act applied.

Mr. FORER. No, Judge Walter, that was a later case, a different case.

These men that he mentioned later on got a decision from Judge Goldsborough, who recently died, but this was before that decision.

In other words, this was merely on the question of bail; not on the question of the Administrative Procedures Act.

Mr. WALTER. All right.

Mr. TAVENNER. Of course, the whole purpose of my questioning—

Mr. WALTER. Proceed.

Mr. TAVENNER. The whole purpose of my questioning is different.

Mr. WALTER. Yes; I understand.

Mr. FORER. Suppose the Communist Party did support this?

Mr. TAVENNER. Then we are entitled to know whether or not this witness's action was influenced by the Communist Party. That is what I am asking you, and that is exactly what the question called for.

Mr. DVORIN. I have already answered that.

Mr. TAVENNER. No, you partially answered it, possibly, my last question, which is unanswered, is:

Whether or not the Communist Party, or any members of the Communist Party, aided, counseled, or assisted you in any way in the development of this particular movement?

Mr. DVORIN (after consulting with his counsel). I have already said that I acted on my own initiative.

Mr. TAVENNER. That is not an answer to my question.

Mr. DVORIN. Well, I don't know, I don't remember anybody saying anything to me about it.

Mr. TAVENNER. You do not remember whether the Communist Party, or any members of the Communist Party, aided, counseled, or advised you in connection with this? Is that what I understand your answer to be?

Mr. DVORIN (after consulting with his counsel). I am sorry, I don't understand the question. I think I have answered the question.

Mr. FORER. He tells me he doesn't understand it.

Mr. POTTER. Are you saying that the idea was yours, and that you formulated the policy; is that what you are saying?

Mr. DVORIN. To the best of my recollection, that is exactly what I am saying, sir.

Mr. POTTER. Without outside motivation; is that what you are saying?

Mr. DVORIN. That is right, sir.

Mr. TAVENNER. Were you motivated by the fact that any one or more of these individuals were members of the Communist Party?

Mr. FORER. Now, we are getting into motives.

Mr. DVORIN. My motives in what I did were based solely upon the feeling that I had believed people were entitled to bail and that there was no right to hold them without bail.

Mr. WALTER. In what other cases prior to this did you protest when the Department of Justice held aliens without bail in deportation proceedings?

Mr. FORER. These were the first ones. I believe these were the first ones in which Attorney General claimed the right, as a matter of absolute discretion, to refuse bail.

Mr. WALTER. I want to know whether or not the witness ever protested in any other cases.

Mr. DVORIN. I don't remember, and I wouldn't have recalled this except that the direct question was asked of me, sir.

Mr. WALTER. The fact of the matter is that you protested against the action taken by the Attorney General because you knew that Eisler and these other people were being held for deportation because they were Communists; isn't that the fact?

Mr. DVORIN. No, sir.

Mr. POTTER. Would you have done the same thing for the grand dragon of the Ku Klux Klan if he had been held without bail?

Mr. DVORIN. You are asking me a hypothetical question, sir. I am not inclined to answer a hypothetical question. If you are asking me my feelings about the Ku Klux Klan, I will be glad to answer.

(Representative Morgan M. Moulder left hearing room.)

Mr. POTTER. You claim that you were only motivated because men were held without bail.

Mr. DVORIN. That is right, sir.

Mr. JACKSON. Mr. Chairman, I suggest that counsel consult only, and refrain from answering questions directed to the witness.

Mr. FORER. All right.

Mr. POTTER. If you were motivated, as you have testified, because of a deep-seated opinion that men should not be held without bail, I am asking you whether you would take the same action against the head man of the Ku Klux Klan.

Mr. DVORIN. That is a hypothetical question. I don't know what I would have done at the moment.

Mr. POTTER. In other words, the principle became quite deep with you when it was a Communist, but it wouldn't be nearly as deep, the principle would lose some of its force, if it were a member of the ultra-right movement: is that correct?

Mr. DVORIN. I don't know what you have reference to, sir, but I might explain myself in this manner.

Mr. WALTER. Now, wait a minute. We have gone very far afield. Let us proceed with the orderly questioning of the witness.

Will you proceed, Mr. Tavenner?

Mr. TAVENNER. Now, when you issued the statement that is attributed to you, was that statement made at the instance of the Communist Party, or any members of the Communist Party?

Mr. DVORIN. That was a general press release that was issued to the press. It was my own idea.

Mr. TAVENNER. While you were employed as port agent in Baltimore, did you make a report on waterfront developments to the state or district committee of the Communist Party of Maryland and the District of Columbia?

Mr. DVORIN (after consulting with his counsel). I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. Were you acquainted with Herbert Nichols, an international representative of the UE?

Mr. DVORIN. Yes, sir. Herbert Nichols is an international representative of the UE.

Mr. TAVENNER. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. Were you acquainted with Judson McDaniel, president of Local 24 of the Shipyard Workers?

Mr. DVORIN. Judson McDaniel, president of Local 24 of the Shipyard Workers?

Mr. TAVENNER. Yes, sir.

Mr. DVORIN. I am not acquainted with any Judson McDaniel, president of Local 24 of the Shipyard Workers.

Mr. TAVENNER. Do you know any person by the name of Judson McDaniel in the Baltimore area?

Mr. DVORIN. I am acquainted with a Judson McDaniel who was a delegate to the Baltimore Industrial Union Council. I believe he was with the Cannery Workers Union in Baltimore.

Mr. TAVENNER. Was he a member of the Communist Party, to your knowledge?

Mr. DVORIN. I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. The Daily Worker of June 15, 1950, contains an article relating to the New York Labor Peace Conference, with regard to the presentation of peace petitions to the United Nations.

One of the delegates is identified as Irvin Dvorin, port agent of the Marine Cooks and Stewards.

Will you explain to the committee exactly your position or affiliation with the New York Labor Peace Conference?

Mr. DVORIN (after consulting with his counsel). I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. I will read you the names of the other delegates, that is, the other delegates to the New York Labor Peace Conference, and I will ask you whether or not they were known to you to be members of the Communist Party:

Isidore Kahn, secretary-treasurer of the AFL Jewelry Workers, Local 1.

Mr. DVORIN. I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. TAVENNER. Tom Bellini, American Federation of Labor Bakers, Local No. 1?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. John Ray, American Federation of Labor Cooks, Local 89?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Rubin Marcus, business manager of American Federation of Labor Paper Sulphite Workers, Local 107?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Isidore Rubin, who is a suspended teacher. Do you know whether he was a member of the Communist Party?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Robert Requa, Furriers Joint Council?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Murray Portnoy, UE Local 430?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Charles Lang, UE Local 475?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Leo Handler, CIO Shipyard Local 13?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Bella Altschuler, Headwear Peace Committee, which is a millinery union?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. James Searless, Maritime Peace Committee?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Winifred Norman, Greater New York local, UOPWA?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Mary Vollberg, Social Service Worker, Local 19?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Hy Wolf, of Queens American Labor Party?

Mr. DVORIN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Are you now, or have you ever been, a member of the Communist Party?

Mr. DVORIN. I refuse to answer that question on the ground that my answer might end to incriminate me.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WALTER. Mr. Dvorin, as I understand it, you refuse to answer the question of whether or not you were a member of the organization known as the New York Labor Conference for Peace on the ground that your answer might tend to incriminate you. Is that correct?

Mr. DVORIN (after consulting with his counsel). Yes, sir.

Mr. WALTER. Why do you think you would be incriminated if you were to admit your participation in some sort of a peace movement?

Mr. DVORIN (after consulting with his counsel). I can't answer that question, for the same reason, sir.

Mr. WALTER. Mr. Jackson.

Mr. JACKSON. Mr. Dvorin, on August 29, 1950, the Marine Cooks and Stewards were expelled by the CIO. Is that not the case?

Mr. DVORIN. We were expelled. That may be the exact date, sir.

Mr. JACKSON. Well, that is the date.

What was the reason assigned for the expelling of the Marine Cooks and Stewards?

Mr. DVORIN. I object to any questions concerning the union being expelled from the CIO, or being affiliated with the CIO on the ground that it is an attack upon my union.

Mr. JACKSON. Mr. Chairman, I request that the witness be directed to answer the questions to the best of his ability.

Mr. WALTER. Yes, I think that is a proper question.

What reason was given for the expulsion? Whether it is legitimate or not is beside the point.

What is the reason, I understand it, is the question.

Mr. DVORIN. The national CIO said that we weren't following CIO policy all the way down the line.

Mr. JACKSON. Isn't it true that one of the charges leveled against the Marine Cooks and Stewards was that the national organization was Communist dominated in its leadership?

Mr. DVORIN. I don't recall that that was one of the charges.

Mr. JACKSON. I will refresh your memory. That was one of the charges made.

Have you signed, as an individual, or are you required in your capacity in the union, under the provisions of the Taft-Hartley Act, to sign a non-Communist affidavit?

Mr. DVORIN (after consulting with his counsel). Will you please clarify that question for me?

Mr. JACKSON. Yes.

Under the provisions of the Taft-Hartley Act officers of unions, in order to obtain certain benefits of the National Labor Relations Board, are required to sign non-Communist affidavits.

Is your capacity in the union such that you come under the provisions of that requirement?

Mr. DVORIN (after consulting with his counsel). I believe that the law does state that if a union wants to utilize the services of the Labor Board, the officers of the union are required to sign non-Communist affidavits.

Mr. JACKSON. Had you signed a non-Communist affidavit?

Mr. DVORIN (after consulting with his counsel). I refuse to answer that question on the ground that my answer might tend to incriminate me.

Mr. JACKSON. Would you take a loyalty oath to this country?

Mr. DVORIN (after consulting with his counsel). Will you please explain that for me a little further?

Mr. JACKSON. Yes.

Would you take an oath to defend this country against all of its enemies, foreign and domestic, and to bear arms in its defense against attack by any other nation?

Mr. DVORIN. I would take an oath to uphold the Constitution of the United States of America.

Mr. JACKSON. That is not an answer to my question. I asked you whether you would sign such an oath as I have outlined.

Mr. DVORIN. I believe I would, sir.

Mr. JACKSON. Would you, or would you not, sign such an oath?

Mr. DVORIN. Nobody has asked me to sign such an oath, and therefore I can say that I believe I would.

Mr. JACKSON. This is obvious evasion.

Would you or would you not sign such an oath if you were required to do so under the provisions of law?

Mr. DVORIN. I don't think I have violated any law as yet. My record is an open book.

Mr. JACKSON. Well, again, that is not the question.

Mr. JACKSON. That is not the question. I am not questioning your record or the record of the union which you represent. True, it is an open book.

I am asking you if you would take a loyalty oath to the United States of America to defend this country against foreign aggression, regardless of whatever source it came from, including the Soviet Union?

Mr. FORER. May I ask you something, Mr. Jackson? I am sure you don't want to ask an unfair question.

Mr. JACKSON. If the question is unfair, I am open to conviction.

Mr. FORER. May I say something on that?

The point I wanted to make is that when you ask a question about a loyalty oath, a lot depends upon the circumstances under which it is administered. Now, there are lots of people, distinguished professors, and so forth, who have objected to taking any loyalty oath, not that they are disloyal or anything like that.

So when you ask a question, would you object to taking a loyalty oath, why, anybody under certain circumstances, might object to taking a loyalty oath.

Mr. JACKSON. That develops a line of thinking which is so completely alien and foreign to my viewpoint that it is difficult for me to understand.

Mr. FORER. You will agree with me that there are a lot of people, including a lot of distinguished educators, who have objected to the requirements of loyalty oaths.

Mr. JACKSON. Absolutely. We have had any number of witnesses sitting in that chair who have refused to answer the questions of this committee, and who have also taken identically the same position.

But this is dialectical, and I think there is no use in going on in this vein. If the witness does not want to answer that question, then he is entirely within his rights in saying that he will not answer it.

Mr. FORER. All right.

Mr. JACKSON. He is under no compulsion to answer one way or the other.

Mr. DVORIN. Under those conditions I refuse to answer the question.

Mr. JACKSON. Upon what grounds?

Mr. DVORIN. That it is unfair.

Mr. JACKSON. It is not an unfair question to ask whether or not you would sign an oath of loyalty to this country.

Mr. DVORIN. Well, the question is very unclear to me. I have said, and I will repeat, although I don't think it is necessary, that I will uphold the Constitution of the United States of America.

Mr. JACKSON. Would you bear arms for the United States of America in a war with the Soviet Union?

Mr. DVORIN. The question is a hypothetical question, sir.

Mr. JACKSON. It is not hypothetical to many thousands of men who are—

Mr. DVORIN. At this point, sir, everybody, including the President of the United States, is saying that they are looking for peace and for a long peace. I am for that cause. I want peace because it means security for me. It means that for me. It means that the people that I have to work with are going to be assured that their lives won't be disturbed and that they will have every conceivable opportunity to live a full, happy life.

If you are advocating war, sir—I don't know whether you are, or not—

Mr. JACKSON. The committee is also for peace, Mr. Dvorin.

Mr. DVORIN. Maybe I am not as well versed in expressing myself as you are, but, at any rate, I believe in peace. I know what war is.

I agree with General Sherman when he said, "War is hell."

I don't think anybody wants hell. They want peace and happiness.

Mr. WALTER. If you mean what you say, why did you decline to answer a question on the ground that it might incriminate you when you were asked whether or not you were connected with some peace movement?

Mr. DVORIN. I am sorry, sir. I can't answer that question for the reason I have already stated.

Mr. WALTER. Proceed.

Mr. JACKSON. Then the answer to the last question posed to you, whether you would bear arms in defense of this country, you refuse to answer on the ground that it is a hypothetical question; is that my understanding of your answer?

Mr. DVORIN (after consulting with his counsel). Mr. Jackson, I think the question is a hypothetical question. It is something that is repulsive to anyone.

Mr. JACKSON. In other words——

Mr. FORER. Let him finish.

Mr. DVORIN. It is repulsive to anyone who has a feeling for his country, the Constitution, the institutions of the country, and who may not think the same way as other people think; who may have views which are in conflict regarding certain social matters, certain actions which occur throughout the country, and who may express himself very vehemently about it, and who also may view such a question as the type of question as "When did you stop beating your wife?"

I don't want to have to answer a question of that kind, "When did I stop beating my wife?"

Mr. JACKSON. Let's say it is a hypothetical question to every alien who accepts the obligation of citizenship. When he accepts that sacred and solemn obligation, he pledges and promises to defend the United States of America.

Is that too much to ask?

Is it a hypothetical question to the alien? Is it too much to ask a man who accepts the blessings of democracy and who accepts some of the obligations as well?

Mr. DVORIN. I will answer it this way, Mr. Jackson——

Mr. JACKSON. I am asking you a question. I want an answer to it.

Mr. DVORIN. Perhaps the way I will answer it will give you the answer you are looking for.

In World War II there was a law passed which required all males between certain ages to register for the draft. I registered for the draft. I was a merchant seaman. I sailed ships into the real hot zones. There were days and nights when sleep was something you couldn't even conceive of.

Mr. POTTER. I assume there are a lot of others.

Mr. JACKSON. I think every other member of the committee is fully conscious——

Mr. DVORIN. I did not object at the time to registering for the draft. I went out and sailed ships along with thousands of others. Perhaps if the occasion should arise—and here is where the question, as I say, is a hypothetical one—if the time comes and I am asked to do it again, I will do it again.

Mr. JACKSON. You would bear arms in a war against the Soviet Union if such a war should conceivably come to pass?

Mr. DVORIN. If I am called.

Mr. JACKSON. If you are called?

Mr. DORIN. Yes.

Mr. JACKSON. Now, to get back to industry for a while, do you believe an industry should be required to negotiate with a union, the officers of which refuse to sign a non-Communist affidavit?

Mr. DORIN. I do, sir, because I think it is the right of the members of a union to elect leaders whom they choose, and it isn't the right of industry to say who the leaders of the union should be.

If that is the way it is going to be, then you are going to have nothing but company unions, and I will be darned if I go for company unions.

Mr. JACKSON. Do you believe that it is the right and the duty of Congress to legislate that officers of unions should be required to sign non-Communist affidavits?

Mr. DORIN. Do I believe that it is the right—

Mr. JACKSON. Do you believe that it is the right and duty of the Congress to pass such legislation, or do you question that right?

Mr. DORIN. Well, you are asking me my opinion. The Congress passed a bill which put prohibition into effect, and it raised a lot of havoc.

I don't know whether the Congress has the right to do that, or they didn't have the right to do it, but they did it.

I don't know whether the Congress had the right to do it, or didn't have the right to do it, but it has been done.

Mr. JACKSON. I will enlighten Mr. Dorin. Congress has the right to recommend any legislation it considers essential to the safety and welfare of the Nation.

How do you feel about that? Do you think the Communist Party should be outlawed?

Mr. DORIN. Mr. Jackson, I object to the question. I think it is delving into my opinions, and I don't think the committee has the right to do that.

Mr. JACKSON. I will withdraw the question.

Without respect to your own philosophy on politics, or your own philosophy dealing with social conditions, and so forth, do you consider that a Communist can be a Communist and be a loyal American citizen at the same time?

Mr. DORIN (after consulting with his counsel). I object to that. It is still a matter of my opinion, and I don't think the committee has the right to ask me questions about my opinions about things.

Mr. JACKSON. In other words, you refuse to answer the question?

Mr. DORIN. I am objecting to the question.

Mr. JACKSON. I am not asking you about your objection. I am asking you whether you refuse to answer the question.

Mr. DORIN. I object to the question because it is a matter dealing with my opinion, and I don't think the committee has a right to inquire into my opinions.

Mr. JACKSON. That is all, Mr. Chairman.

Mr. WALTER. Mr. Potter.

Mr. POTTER. It has been alleged that certain members of the Marine Cooks and Stewards Union are engaged in Soviet espionage activities, and that the Communists are using these members as couriers. Now, is that charge true from your affiliation with the union?

Mr. FORER. Did you hear the question?

Mr. POTTER. Would you like to hear the question again?

Mr. DVORIN. Yes, sir.

Mr. POTTER. It has been alleged that certain members of the Marine Cooks and Stewards Union are engaged in Soviet espionage activities, and that the Communists are using these members as couriers.

Now, is that statement true?

Mr. DVORIN (after consulting with his counsel). Mr. Potter, in my opinion, I think the statement is wholly false, and that is only being asked as a direct attack against my union.

Mr. POTTER. I am saying that that is an alleged charge that was made.

Now, you have denied the charge, I assume, and I am asking you, as an official of the union, whether you would do everything possible to safeguard your country and that as to members, or anybody who, to your knowledge, was engaged in espionage work, or courier services, for the Communist Party, if you would take it upon yourself to report those people to the proper governmental officials who would take charge and prefer the proper charges?

Mr. DVORIN (after consulting with his counsel). I object to the question. I think that question is asked in an attempt to attack and discredit my union.

Mr. POTTER. If I were an official of an organization, I would certainly report anybody that I knew——

Mr. DVORIN. I don't think you could become an official of my union.

Mr. JACKSON. Will the gentleman yield?

Mr. POTTER. Yes.

Mr. JACKSON. Do I understand the witness to say that if he had personal knowledge of espionage, he would not report it to the United States Government?

Mr. DVORIN. I never said that.

Mr. JACKSON. Well, that certainly would be the understanding I would draw from the answer. I think the record should be corrected to show the answer the witness intended to give.

Mr. FORER. The answer was that he objected to the question being asked because he said the line of questioning was an attack on his union.

Mr. POTTER. It is not an attack on his union.

Mr. WALTER. Let's not get into an argument, gentlemen. The record is very plain.

Mr. JACKSON. May I have the answer to Mr. Potter's question read back, Mr. Chairman?

(The record was read by the reporter.)

Mr. POTTER. I would like to rephrase my question.

At this time we are drafting thousands to fight the Communist forces in Korea. I am asking you, as an official of the union, or as an individual citizen, whether you would report any knowledge you might have of espionage activities to the proper officials.

Mr. DVORIN. I will answer that for you. The president of my union and the members of the general counsel of my union have stated publicly that they do not know of anyone who has committed sabotage or espionage and that if there were any, they would be dealt with according to the laws of the land.

Mr. POTTER. That was an easy answer, wasn't it? We could have had that before.

Mr. FORER. He was objecting to the insinuation.

Mr. DVORIN. What you were doing, Mr. Potter, was making a direct attack against the National Union of Marine Cooks and Stewards, just the same as a lot of other people have been making attacks against it.

We don't like it, and we are going to keep punching back all the time.

Mr. WALTER. All right, Mr. Dvorin, answer the questions.

Perhaps I didn't understand correctly your connection with the union. You testified at the beginning of the session that you were elected to your position in Baltimore, did you not?

Mr. DVORIN. To which position are you referring, sir?

Mr. WALTER. The port agent.

Mr. FORER. Of New York, or Baltimore?

Mr. WALTER. Of Baltimore. You were elected port agent of Baltimore?

Mr. DVORIN. May I explain the structure for that, sir?

Mr. WALTER. Yes.

Mr. DVORIN. All officers are elected in a national referendum vote. All the members vote, and all of the officers are on a ballot.

Mr. WALTER. Then after you are elected, you are assigned to various posts?

Mr. DVORIN. No, sir.

Mr. WALTER. After you were elected port agent, you were assigned to Baltimore, and then subsequently assigned to New York?

Mr. DVORIN. No, sir. There are candidates for specific offices. They can only run for one office. Their name appears on the ballot. There is no limit to the number of candidates.

The qualifications for getting on the ballot are very simple. All they have to do is to get 25 members of the union to sign a nominating petition. If they are in good standing, with their dues paid up, and if they have the required sea time—that means that no landlubber can get in and run the union—it is the seamen who run the union—any number of people can be nominated and run for office.

There can be 100 candidates for president, or there can be 1. It is up to the individuals involved. All they have to do is to get 25 signatures on a nominating petition. It is filed with the secretary-treasurer. If they qualify according to the constitution of the union, their name goes on the ballot for that office.

(Representative John S. Wood returned to the hearing room.)

Mr. DVORIN (continuing). The members then vote in a referendum vote. Ballots are mailed out to ships at sea when the members send in a request, so that every member receives an opportunity to vote.

In the last elections that we held, sir, we had well over 99 percent of the members of the union who participated in the voting. That is a record that nobody in the country can equal.

Mr. WALTER. What I had in mind is this: After you were elected a port agent, you were assigned to Baltimore?

Mr. DVORIN. No, sir; I was elected port agent for the Baltimore branch.

Mr. WALTER. Now, how did you become port agent of New York?

Mr. DVORIN. In a referendum election.

Mr. WALTER. Another election?

Mr. DVORIN. Yes, sir. We have biennial elections, sir.

Mr. WALTER. All right.

Is there anything further?

Mr. JACKSON. Mr. Dvorin, I am not clear on your last answer. I think this is a matter that can be answered simply by "yes" or "no."

If there came to your attention evidence that any members of your union were acting as couriers or were engaged in espionage, would you immediately convey such information to the Federal Bureau of Investigation, or to the United States marshal's office?

Mr. DVORIN. You are asking me, sir, if I knew of any member of my union—

Mr. JACKSON. Or anyone else.

Mr. DVORIN. Or anyone else—who was engaged in espionage against the United States would I report them?

Mr. JACKSON. Yes.

Mr. DVORIN. I would like to say, prefacing that, if you will bear with me, that anybody who would do anything to harm me by such activities, I wouldn't hesitate then because they wouldn't only be harming me, but they would be harming millions of other people who I have a great deal of regard for, and consequently, I don't want to see them hurt.

Mr. JACKSON. Your answer, then, as I understand it, is "yes," you would report to the proper agencies of government anyone connected with or carrying on espionage or sabotage?

Mr. DVORIN. I think I have answered that way.

Mr. JACKSON. Is that your answer?

Mr. DVORIN. I think I have answered it that way, sir.

Mr. JACKSON. I still say that you have not answered it, but I will let the answer stand, and speak for itself.

That is all, Mr. Chairman.

Mr. TAVENNER. I would like to ask several questions.

Mr. WOOD. All right, proceed, Mr. Tavenner.

Mr. TAVENNER. Following up the chairman's question as to the method of election to the position of port agent; you became a candidate for that position?

Mr. DVORIN. Yes, sir.

Mr. TAVENNER. And you had never lived in the area of Baltimore prior to that time?

Mr. DVORIN. No, sir.

Mr. TAVENNER. Is it customary in your union for persons outside of the particular areas to be elected to those positions?

Mr. DVORIN. Yes, sir. We are seamen. We sail to all ports, and we become familiar with all ports. We sail all over the world.

Consequently, we are eligible to hold office in any port where the union has a branch.

Mr. TAVENNER. So you were elected port agent for the port of Baltimore as the port you desired to be elected to?

Mr. DVORIN. I think I did.

Mr. TAVENNER. Why did you do that?

Mr. DVORIN. Well, frankly, I was a little bit tired of the job that I had in San Francisco. It was a terrific grind, and I thought that the Baltimore job would be a little bit easier. That is the reason I went there.

Mr. FORER. He didn't anticipate this committee.

Mr. TAVENNER. Were you influenced in that decision by advice obtained from others?

In other words, was it suggested to you that you become a candidate for this position in Baltimore?

Mr. DVORIN. No; it wasn't suggested to me, but I did explore the possibility of getting some support from the members of the union.

Mr. TAVENNER. What was the source of that support, Mr. Dvorin? Whom did you contact?

Mr. DVORIN. Members of the union.

Mr. TAVENNER. Who?

Mr. DVORIN. Well, I don't remember offhand. I spoke to about 600 or 700 members of the union and asked them what they thought if I was to run for the Baltimore port agent, would they support me. They said "Yes."

Mr. TAVENNER. Did the Communist Party, or any members of the Communist Party, have anything to do with your decision to stand for election to the port of Baltimore?

Mr. DVORIN. Nobody had anything to do with my decision to stand for election for the port of Baltimore. That decision rested solely with me. I could accept or I could decline.

Mr. TAVENNER. I understand the decision was with you, but I am asking you whether you were advised or counseled by the Communist Party, or by any member of the Communist Party to make the race, or the fight, for the port of Baltimore?

Mr. DVORIN. I refuse to answer that question on the ground that the answer might tend to incriminate me.

Mr. TAVENNER. That is all.

Mr. WALTER. You may call another witness.

Mr. TAVENNER. May the witness be excused?

Mr. TAVENNER. Yes, sir.

Mr. DVORIN. You may go right into my office.

Mr. Milton Unterman.

Mr. FORER. Mr. Chairman, I make the same objection as to the lack of a quorum.

Mr. WALTER. Mr. Unterman, will you stand and be sworn, please?

Do you solemnly swear that the evidence you give this committee, shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. UNTERMAN. I do.

Mr. WALTER. Have a seat.

Mr. WOOD. For the purpose of this hearing, since Mr. Walter has been excused, and I am back, I will set up a subcommittee composed of Mr. Jackson, Mr. Potter, and Mr. Wood, who are present.

Mr. FORER. May the record show we are proceeding under protest?

Mr. WOOD. Yes.

TESTIMONY OF MILTON UNTERMAN, ACCOMPANIED BY HIS COUNSEL, JOSEPH FORER

Mr. TAVENNER. Will you state your full name, sir?

Mr. UNTERMAN. Milton Unterman.

Mr. TAVENNER. You are represented by counsel?

Mr. UNTERMAN. I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. FORER. Joseph Forer, 711 Fourteenth Street NW., Washington, D. C.

Mr. TAVENNER. When and where were you born, Mr. Unterman?

Mr. UNTERMAN. Brooklyn, N. Y., June 15, 1912.

Mr. TAVENNER. Will you briefly outline to the committee your educational background?

Mr. UNTERMAN. I have a bachelor of science degree from a college.

Mr. TAVENNER. From what college?

Mr. UNTERMAN. Brooklyn College.

Mr. TAVENNER. When was your degree awarded?

Mr. UNTERMAN. 1935.

Mr. TAVENNER. Will you tell the committee what your employment record has been since that date?

Mr. UNTERMAN. It is quite varied, a great many small-time jobs.

Mr. TAVENNER. How are you employed now?

Mr. UNTERMAN. I am a teacher now.

Mr. TAVENNER. Where?

Mr. UNTERMAN. At a private high school.

Mr. TAVENNER. What is the name of it?

Mr. UNTERMAN. The Robert Louis Stevenson School.

Mr. TAVENNER. Located where?

Mr. UNTERMAN. New York City.

Mr. TAVENNER. Are you now, or have you ever been, a member of the Communist Party?

Mr. UNTERMAN. I refuse to answer that question on the ground that the answer might tend to incriminate me.

(Representative Francis E. Walter left the hearing room).

Mr. TAVENNER. I hand you what purports to be a photostated copy of a Communist Party registration card, No. 76562, bearing the name Mickey Unterman.

I will ask you to examine it and state whether or not you were issued a Communist Party card in 1945 bearing that number.

Mr. UNTERMAN. I refuse to answer that question on the ground that the answer might tend to incriminate me.

Mr. TAVENNER. The address given on this card is 211 Callow Avenue, 17. Did you ever reside at that address?

Mr. UNTERMAN. I did.

Mr. TAVENNER. There are the initials "T. P." after the word "club." Do you know what the initials "T.P." stand for?

Mr. UNTERMAN. I refuse to answer that question on the same ground.

Mr. TAVENNER. Are you commonly known by the name "Mickey"?

Mr. UNTERMAN. I am.

Mr. TAVENNER. How were you employed in 1945 and in 1946?

Mr. UNTERMAN. Will the photographer tell me what he wants?

Mr. WOOD. Do you object to being photographed?

Mr. UNTERMAN. I don't object. I was a photographer. If you want one or two pictures, that is all right. Do you want a horrible picture? What are you looking for? I will sit still.

Mr. WOOD. Just a moment. I have given you the privilege of objecting. If you object, I will stop the photographers.

Mr. UNTERMAN. If they want a picture, I will pose. But evidently he is waiting for—I think it is unfair. It is annoying to have this all the time, Mr. Chairman.

Mr. WOOD (addressing photographers). Suppose you get through as quickly as you can.

Mr. TAVENNER. I asked you how you were employed in 1945 and 1946.

Mr. UNTERMAN. In 1945 and 1946 I think I was at Glenn L. Martin.

Mr. TAVENNER. Were you an inspector of aircraft at Glenn L. Martin?

Mr. UNTERMAN. I was.

Mr. TAVENNER. In 1945 and in 1946 were you affiliated with the United Automobile Workers?

Mr. UNTERMAN. I was a member of the United Automobile Workers.

Mr. TAVENNER. Did you hold any office in that group?

Mr. UNTERMAN. I was a shop steward for a while, and I think for a short period I was a member of the local executive board as a member at large, I think, from one of the plants.

Mr. TAVENNER. Where was this?

Mr. UNTERMAN. In Baltimore, Glenn L. Martin factory.

Mr. TAVENNER. What is your wife's name?

Mr. UNTERMAN (after consulting with his counsel). Senah Unterman.

Mr. TAVENNER. How is she employed?

Mr. UNTERMAN (after consulting with his counsel). I object to the committee questioning the activities of my wife. I assume I am up before the committee, and I see no reason why my wife has to be brought into this.

Mr. WOOD. Well, the question is pertinent to the committee's inquiry. Your objection is being noted. The question is now, Will you answer, or not?

Mr. UNTERMAN. My wife is a school teacher.

Mr. TAVENNER. Where?

Mr. UNTERMAN. A substitute teacher, New York City.

Mr. WOOD. At the same school where you teach, or a different one?

Mr. UNTERMAN. No.

Mr. WOOD. A different school?

Mr. UNTERMAN. Yes.

Mr. JACKSON. Is that in the public-school system?

Mr. UNTERMAN. Yes.

Mr. JACKSON. She is a substitute in the public-school system?

Mr. UNTERMAN. Yes.

Mr. TAVENNER. Is she a member of the Communist Party?

Mr. UNTERMAN. I refuse to answer that question on the ground that the answer might tend to incriminate me.

Mr. TAVENNER. How long were you employed at Glenn L. Martin?

Mr. UNTERMAN. From January 1942 until January 1946, I think.

Mr. TAVENNER. Now, the committee is in possession of information indicating that there was at Glenn L. Martin a cell of the Communist Party which is generally referred to as the Air Club of the Communist Party.

Were you chairman of that club at any time, Mr. Unterman?

Mr. UNTERMAN. I refuse to answer for the same reason.

Mr. TAVENNER. Was Jean Coppock a person known to you? Do you know her?

Mr. UTERMAN (after consulting with his counsel). I refuse to answer that question on the ground that the answer might tend to incriminate me.

Mr. TAVENNER. Are you acquainted with Max Weinstock?

Mr. UTERMAN. Not to my recollection.

Mr. TAVENNER. Are you acquainted with Dr. Albert Blumberg?

Mr. UTERMAN. I refuse to answer that question on the ground that the answer might tend to incriminate me.

Mr. TAVENNER. With his wife, Dorothy Rose Blumberg?

Mr. UTERMAN. I refuse to answer that question on the same ground.

Mr. TAVENNER. Now, were you transferred at any time to the Tom Paine Club of the Communist Party?¹

Mr. UTERMAN. I refuse to answer that question on the same ground.

Mr. TAVENNER. Did you know Martin Dean to be a member of the Tom Paine Club of the Communist Party?

Mr. UTERMAN. I refuse to answer that question on the ground that the answer might tend to incriminate me.

Mr. TAVENNER. And his wife, Belva Dean?

Mr. UTERMAN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Was Tobi Ain a member of the Tom Paine Club of the Communist Party?

Mr. UTERMAN. I refuse to answer for the same reason.

Mr. TAVENNER. Louise Armstrong?

Mr. UTERMAN. I refuse to answer that question for the same reason.

¹ 1945-46 addresses of various persons concerning whose connection with the Tom Paine Club of the Communist Party of Baltimore questions were directed to the witness are set forth in order to reduce the possibility of mistaken identity:

Martin Dean, now residing in Galveston, Tex.	Estelle Mason, 1523 East Fayette Street, Baltimore
Abe Braverman, 1600 Moreland Avenue, Baltimore	Bertha Matchar, 1837 West North Avenue, Baltimore
Bernard Brown, 2625 Rosewood Avenue, Baltimore	Marcus Nusbaum, 3910 Chatham Road, Baltimore
Max Ashman, 2000 Presstman Street, Baltimore	Rose Paul, 1809 Thomas Avenue, Baltimore
Louis Berman, 1505 Holbrook Avenue, Baltimore	Louis Pearlman, 2400 Liberty Heights Avenue, Baltimore
Morris Dubow, 2004 Presstman Avenue, Baltimore	Rebecca Pearlman, wife of Louis Pearlman
Sarah Fagan, 1639 North Payson Street, Baltimore	Harold Press, 3022 Reisterstown Road, Baltimore
Jacob Friedman, 2704 Woodsdale Avenue, Baltimore	Oscar Roberts, 3800 Garrison Boulevard, Baltimore
Dave Goldberg, 4019 Kathland Avenue, Baltimore	Mary Roberts, wife of Oscar Roberts
Gertrude Goldberg, wife of Dave Goldberg	Maurice Ross, 2602 Springhill Avenue, Baltimore
Irving Goldstick, 2004 North Smallwood Street, Baltimore	Mrs. Ida Rubin, 3600 Belvedere Avenue, Baltimore
Henry Greenberg, 1636 North Smallwood Street, Baltimore	Yetta Rubin, 1622 Moreland Avenue, Baltimore
Ree Greenberg, wife of Henry Greenberg	Israel Sattel, 2704 Hilldale Avenue, Baltimore
Lottie Hall, 1609 Bruce Court, Baltimore	Sam Silverstein, 3900 Forrest Park Avenue, Baltimore
Belle Hancoff, wife of Morris Hancoff	Rose Slovin, 4100 Pennhurst Avenue, Baltimore
Morris Hancoff, 2639 Loyola Southway, Baltimore	Gertrude Swogell, 3532 Cottage Avenue, Baltimore
Max Kliteuc, 313 West Franklin Street, Baltimore	Reva Wagman, 4905 Palmer Avenue, Baltimore
Rose Lambert, 2925 Violet Avenue, Baltimore	Elsie Winter, 4314 Pennhurst Avenue, Baltimore
Morris Liebfeld, 4111 Forrest Park Avenue, Baltimore	Rae Barshak, 2335 Eutaw Place, Baltimore
Ida Levine, 3508 Reisterstown Road, Baltimore	Selma Weiss, 439 Angelsea Street, Baltimore
Julia Levine, 3508 Reisterstown Road, Baltimore	Alverta Parnell, 241 North Dallas Court, Baltimore

Mr. TAVENNER. Was Abe Braverman a member of the Tom Paine Club?

Mr. UNTERMAN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Bernard Brown?

Mr. UNTERMAN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Max Ashman?

Mr. UNTERMAN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Louis Berman?

Mr. UNTERMAN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Leon Cherkin?

Mr. UNTERMAN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Molly Cherkin?

Mr. UNTERMAN. I refuse to answer that question for the same reason.

Mr. TAVENNER. Morris Dubow?

Mr. UNTERMAN. I refuse to answer the question for the same reason.

Mr. TAVENNER. Sarah Fagan?

Mr. UNTERMAN. I refuse to answer the question for the same reason.

Mr. WOOD. At this time we are going to recess as the members are going to have to withdraw.

I will ask the members who are present to return at 2:30.

Until that time the committee stands in recess.

(Whereupon, at 12:20 p.m., the hearing recessed, to reconvene at 2:30 p.m. of the same day.)

AFTERNOON SESSION

Mr. WOOD. The committee will be in order.

Let the record disclose that I am adding Mr. Doyle to the subcommittee named prior to the recess for lunch, under authority vested in me by the resolution creating this committee.

TESTIMONY OF MILTON UNTERMAN—Resumed

Mr. TAVENNER. Mr. Unterman, when we recessed I was questioning you regarding the membership of certain individuals in the Tom Paine cell of the Communist Party, and I will continue with that line of questioning.

Are you acquainted with Mr. Finkel, F-i-n-k-e-l?

Mr. UNTERMAN. I refuse to answer the question on the grounds that the answer might tend to incriminate me.

Mr. TAVENNER. Was Mr. Jacob Friedman, F-r-i-e-d-m-a-n, a member of the Tom Paine cell?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Was Dave Goldberg a member of the Tom Paine cell?

Mr. UNTERMAN. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Gertrude Goldberg?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Irving Goldstick?

Mr. UNTERMAN. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Henry Greenberg?

Mr. UNTERMAN. I refuse to answer the question on the same grounds as I have given before.

Mr. TAVENNER. Ree Greenberg, R-e-e?

Mr. UNTERMAN. I refuse to answer that question on the same grounds I have given before.

Mr. TAVENNER. Lottie Hall?

Mr. UNTERMAN. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Belle Hancoff, B-e-l-l-e H-a-n-c-o-f-f?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Morris Hancoff?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Max Klitenic, K-l-i-t-e-n-i-c?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Rose Lambert?

Mr. UNTERMAN. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Edward LaPaglia, L-a-P-a-g-l-i-a?

Mr. UNTERMAN. I refuse to answer the question on the grounds given before.

Mr. TAVENNER. Thelma LaPaglia?

Mr. UNTERMAN. I refuse to answer the question on the same grounds given before.

Mr. TAVENNER. Margaret Lee?

Mr. UNTERMAN. I refuse to answer that question on the same grounds I have given before.

Mr. TAVENNER. Robert Lee, L-e-e?

Mr. UNTERMAN. I refuse to answer the question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Morris Liebfeld, L-i-e-b-f-i-e-l-d?

Mr. UNTERMAN. I refuse to answer the question on the same grounds as given before.

Mr. TAVENNER. Ida Levine?

Mr. UNTERMAN. I refuse to answer the question on the same grounds given before.

Mr. TAVENNER. Julia Levine?

Mr. UNTERMAN. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Estelle Mason?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Bertha Matchar, M-a-t-c-h-a-r?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Goldie McPherson?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Marcus Nusbaum, N-u-s-b-a-u-m?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Rose Paul?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Louis Pearlman?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Rebecca Pearlman?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Harold Press?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. John Ragsdale, R-a-g-s-d-a-l-e?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Oscar Roberts?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Mary Roberts?

Mr. UNTERMAN. I refuse to answer that question on the grounds it might tend to incriminate me.

Mr. TAVENNER. Maurice Ross? The first name is M-a-u-r-i-c-e.

Mr. UNTERMAN. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Mrs. Ida Rubin?

Mr. UNTERMAN. I refuse to answer that question on the grounds given before.

Mr. TAVENNER. Yetta Rubin.

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Israel Sattel, S-a-t-t-e-l?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Sam Silverstein, S-i-l-v-e-r-s-t-e-i-n?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Rose Slovin, S-l-o-v-i-n?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Grace Stevenson, S-t-e-v-e-n-s-o-n?

Mr. UNTERMAN. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Virginia Stinnett?

Mr. UNTERMAN. I refuse to answer that question on the grounds given before.

Mr. TAVENNER. Gertrude Swogell, S-w-o-g-e-l-l?

Mr. UNTERMAN. I refuse to answer that question on the grounds given before.

Mr. TAVENNER. Reva Wagman?

Mr. UNTERMAN. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Elsie Winter?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Rae Barshak, R-a-e B-a-r-s-h-a-k?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Richard Thomas?

Mr. UNTERMAN. I refuse to answer that question on the grounds I have given before.

Mr. TAVENNER. Jacqueline Owings, O-w-i-n-g-s?

Mr. UNTERMAN. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Were you a member of the Baltimore Industrial Union Council at any time while you were in the Baltimore area?

Mr. UNTERMAN. I think I was a delegate from local 738, aircraft workers.

Mr. TAVENNER. How long were you a member of the council?

Mr. UNTERMAN. I don't recall. Perhaps a few months.

Mr. TAVENNER. In a news report of today, the final home edition of the Washington Daily News, it is reported that 21 Reds were indicted in New York today. Among them is the name of Albert Francis Lannon. The news report states that he was formerly section organizer of the water front; he is district organizer in Maryland and Washington, D. C.; and was president of the Communist Political Association in Maryland and Washington, D. C., as well as chairman of the district.

Are you willing to give to this committee any information that you have regarding Albert Francis Lannon's Communist Party affiliations or activities in the Baltimore area while you were there?

Mr. UNTERMAN (after conferring with his counsel). If I were asked the questions on that subject I would claim my privilege not to answer on the grounds my answers might incriminate me.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WOOD. Mr. Doyle, do you have any questions?

Mr. DOYLE. I think the hearing shows you are a teacher in school?

Mr. UNTERMAN. That is right.

Mr. DOYLE. I ask that question that way because, as you have observed, I have just come to this hearing in the last few minutes. You are a teacher?

Mr. UNTERMAN. That is right.

Mr. DOYLE. What would be your definition of subversive?

Mr. UNTERMAN. I leave that to political science teachers. I am a teacher of mathematics.

Mr. DOYLE. In your preparation for teaching, I presume you are a graduate of a college or university?

Mr. UNTERMAN. Yes; college.

Mr. DOYLE. Will you give me what is your understanding of the common definition, or a definition, of the term "subversive" as you understand it?

Mr. UNTERMAN. It is rather hard to define. It would have to be defined as to the moment, the time, the place, the country, and so on,

and I doubt if many people would agree with any one definition, and it would serve no purpose to give you my opinion.

Mr. DOYLE. Will you give me the definition of Mr. Webster as nearly as you recall it to be?

Mr. UNTERMAN. I don't recall Mr. Webster's definition.

Mr. DOYLE. You have never read it?

Mr. UNTERMAN. I probably have, but I can't tell you offhand what he defines as subversive.

Mr. DOYLE. Then you at this time have no knowledge that you are willing to state as to the meaning of the word "subversive." Is that your answer?

(The witness conferred with his counsel.)

Mr. DOYLE. I am not asking for a speech or an oration.

Mr. UNTERMAN. It would probably end up as a speech. My definition of subversive would not be the same as yours, sir.

Mr. DOYLE. I am not asking you to give my definition.

Mr. UNTERMAN. I would rather not go into it. It is a matter of opinion.

Mr. DOYLE. Would that be your answer to a question as to the term un-American?

Mr. UNTERMAN. I suppose so.

Mr. DOYLE. I notice you and your counsel smile at my question. I am asking what I think is a very pertinent question. I want to direct your attention to the fact, if you haven't read it, that under the text of the resolution by Congress creating the Committee on Un-American Activities, of which this is a subcommittee, we are assigned the duty to study and investigate the diffusion within the United States of subversive and un-American propaganda. I was just laying the foundation for calling your attention to that, to make a foundation for another question which I intended asking you, in view of the fact you are a school teacher.

Mr. FORER. Excuse me, Mr. Doyle. Would you mind if I explained why I smiled at that question? It would just take a minute.

Mr. DOYLE. I have no objection. I noticed you and your client were smiling at my question.

Mr. FORER. If you don't mind, I would like to explain why I smiled.

Mr. WOOD. You are not the witness.

Mr. FORER. No; but so long as the remark was directed to me, I would like to explain it.

Mr. DOYLE. It can be stricken as far as I am concerned.

Mr. FORER. I would like to tell you in private sometime.

Mr. DOYLE. I would be glad to hear it. I am a lawyer also.

Mr. FORER. I know.

Mr. DOYLE. I think, in view of the former answers, I will not ask further questions.

Mr. WOOD. Mr. Jackson.

Mr. JACKSON. What is the address of the Robert Louis Stevenson School?

Mr. UNTERMAN. 246 West Eightieth Street, New York.

Mr. JACKSON. Who is the principal or owner or person in charge of the school?

Mr. UNTERMAN. I would like to object strenuously to the questioning of my present employment as having nothing to do with what I am here supposedly to appear for.

Mr. WOOD. It isn't a question of whether you object or not. Do you decline to answer, and if so, for what reason?

Mr. UNTERMAN. I do not decline to answer. I just want my objection noted.

Mr. WOOD. It is noted. I assume the gentleman who asked the question considered it pertinent.

Mr. JACKSON. Very pertinent in my mind.

Mr. WOOD. Will you answer it, please?

Mr. UNTERMAN. Dr. Annette Rubinstein.

Mr. TAVENNER. Will you spell the last name, please?

Mr. UNTERMAN. R-u-b-i-n-s-t-e-i-n.

Mr. JACKSON. How many students attend the Robert Louis Stevenson School, approximately?

Mr. UNTERMAN. I don't know. I would say about 500, 600, 700. I am not sure. Both day and evening.

Mr. JACKSON. Both day and evening classes?

Mr. UNTERMAN. Yes.

Mr. JACKSON. How many members are there on the faculty?

Mr. UNTERMAN. Forty, fifty, sixty. I am not sure.

Mr. JACKSON. What is the nature of the financial arrangements, to the best of your knowledge, by which this school is carried on? Is it endowed, or is tuition charged for attendance, or a combination of the two?

Mr. UNTERMAN. I imagine it is the tuition charged for attendance.

Mr. JACKSON. Is there any endowment?

Mr. UNTERMAN. I didn't get the last question.

Mr. JACKSON. Is it endowed, to the best of your knowledge?

Mr. UNTERMAN. Mr. Chairman, I object to this questioning as trying to bring in the school and blackmail the school, and it seems to me——

Mr. WOOD. Your objection can be noted, of course, but the question is whether you desire to answer the question asked you or decline to answer it. In the investigation that this committee is carrying on, and under the terms and provisions of the resolution creating it, the question could be very pertinent to this inquiry. Otherwise, it would not have been asked you. This committee is not trying to embarrass anybody. We are conducting an investigation which we deem to be our responsibility. I have no way of forcing you to answer the question, and I am not seeking to do so. Your declination to answer any question asked you is at your own hazard. The question is whether you desire to answer the question or decline to answer it.

Mr. UNTERMAN (after conferring with his counsel). I am not objecting to the——

Mr. WOOD. The question asked you, sir, was whether or not the educational institution in which you are presently employed is endowed by any fund?

Mr. UNTERMAN. I would like to finish my statement as to why I object. I am not objecting to the question as such, but the type of question Representative Jackson is asking, I think he knows, and I know, is only meant to embarrass the school I am working in and to embarrass myself.

Mr. WOOD. Let me assure you, sir, that this committee has no desire to embarrass the school. If the school becomes embarrassed by reason of the activities of any person connected with it, that is a matter

between that person and the school. This committee is simply seeking to obtain information.

Mr. UNTERMAN. It would seem far afield to go from a question about Baltimore where I worked in an aircraft factory, to a school in New York.

Mr. WOOD. You are a member of the faculty in a school which has 600 or 700 students at an impressionable age. Their views and philosophies are being formed and molded now. The type of persons on the faculty of the school is a matter this committee is concerned with.

Mr. UNTERMAN. If I were a political science teacher I could understand the reason for these questions, but I am a teacher of mathematics. The square root of 4 is plus or minus 2 either way. The influence I can have is not along the line you suggest.

Mr. JACKSON. Unfortunately, your mathematics would appear to have been mixed considerably with politics. If you had been purely a mathematician, I doubt your presence here would have been required at all.

In connection with the Robert Louis Stevenson School, I directed my questions to this school because the school very definitely has been mentioned in testimony before this committee.

Mr. WOOD. The question is whether you desire to answer the question or decline to answer it.

Mr. UNTERMAN. I will answer the question. What is the question?

Mr. WOOD. The question is whether or not the institution by which you are presently employed as an instructor is endowed?

Mr. UNTERMAN. I don't think so.

Mr. JACKSON. Is the school coeducational?

Mr. UNTERMAN. Yes.

Mr. JACKSON. Is the school approved under the GI bill of rights for GI training?

Mr. UNTERMAN. Yes.

Mr. JACKSON. It is at the present time.

Do you know of your own knowledge any member of the faculty or any student in the student body who is a member of the Communist Party?

Mr. UNTERMAN. I refuse to answer that question on the grounds that my answer might incriminate me.

Mr. JACKSON. How long have you been employed at the school?

Mr. UNTERMAN. About 3 years.

Mr. JACKSON. Were you there in March of 1948?

Mr. UNTERMAN. A math teacher counts on his fingers. I think I was.

Mr. JACKSON. Perhaps this will help. I would like to ask you to look at this article which reports the ejection of a war veteran from a class at the Robert Louis Stevenson School because he had posted on the bulletin board an article on universal military training. Do you recall that incident?

Mr. UNTERMAN. I do not.

Mr. JACKSON. You did not hear of it subsequently, or any discussion of it?

Mr. UNTERMAN. Never did.

Mr. JACKSON. Mr. Chairman, I would like to ask permission to introduce into the record this article.

Mr. WOOD. Does the article disclose what periodical it was published in?

Mr. JACKSON. Yes, it does.

Mr. WOOD. And the date?

Mr. JACKSON. Yes.

Mr. WOOD. It may be admitted.

(The newspaper article above referred to, entitled "Patriotism Ousts Vet From Class," from the New York Journal-American, Thursday, March 25, 1948, is marked "Exhibit No. 1" and filed herewith.)

Mr. JACKSON. I would also like to ask permission to introduce into the record another article entitled "Leftist Educator Gets Vets' O. K.," from the New York Journal-American of November 22, 1946.

Mr. WOOD. Very well. It will be admitted.

(The newspaper article above described is marked "Exhibit No. 2" and filed herewith.)

Mr. WOOD. Any further questions?

Mr. TAVENNER. No, sir.

Mr. WOOD. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No, sir.

Mr. WOOD. Very well. You may be excused.

(Witness excused.)

(Testimony of the next witness, Michael Howard, is printed in another volume under same title, pt. 1, with subtitle, "Based on the Testimony of Mary Stalcup Markward.")

HEARINGS RELATING TO COMMUNIST ACTIVITIES IN THE DEFENSE AREA OF BALTIMORE—PART 3

TUESDAY, JUNE 26, 1951

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities continued the hearing on the above date, at 11:50 a. m., in room 226, Old House Office Building, Hon. John S. Wood (chairman) presiding.¹

Committee members present: Representatives John S. Wood (chairman), Francis E. Walter, Bernard W. Kearney, and Charles E. Potter.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., assistant counsel; Donald T. Appell, investigator; John W. Carrington, clerk; and A. S. Poore, editor.

Mr. WOOD. Proceed, Mr. Counsel.

Mr. TAVENNER. Mr. John Goodell.

Mr. WOOD. Mr. Goodell, do you solemnly swear the evidence you give this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GOODELL. I do.

Mr. WOOD. Have a seat.

Mr. DUBOW. Mr. Chairman, I want to renew the objection I made for the previous witness I represented. The committee is proceeding without a full quorum, and we object to it.

Mr. WOOD. The record will show that the committee is operating under a subcommittee appointed by the chairman, composed of Messrs. Walter, Kearney, Potter, and Wood.

Mr. DUBOW. I would still like the record to show that we are proceeding under protest.

TESTIMONY OF JOHN F. GOODELL, ACCOMPANIED BY HIS COUNSEL, MITCHELL A. DUBOW

Mr. TAVENNER. Will you state your full name?

Mr. GOODELL. John F. Goodell.

Mr. TAVENNER. You are represented by counsel?

Mr. GOODELL. That is right.

¹ Testimony of the preceding witness heard on this subject by the Committee on Un-American Activities on this day, Levy Williamson, is printed in another volume under same main title, pt. 1, with subtitle, "Based on Testimony of Mary Stalcup Markward."

Mr. TAVENNER. Will counsel identify himself for the record, please?

Mr. DuBow. Mitchell A. DuBow, D-u-B-o-w, 213 Tower Building, Baltimore, Md.

I would like the record also to show that Congressman Potter is not going to participate in this session of the proceedings.

(Representative Charles E. Potter left the hearing room.)

Mr. Wood. When the subcommittee is reduced below the quorum the chairman will call attention to it.

Mr. TAVENNER. Mr. Goodell, will you state when and where you were born, please, sir?

Mr. GOODELL. I was born February 25, 1908, at Jacksonville, Fla.

Mr. TAVENNER. Will you state what your educational training has been?

Mr. GOODELL. Well, I completed elementary school, high school, and I had 1 year of college.

Mr. TAVENNER. Where do you now reside?

Mr. GOODELL. 1819 Walnut Avenue, Baltimore.

Mr. TAVENNER. How long have you lived in Baltimore?

Mr. GOODELL. Eight years, I believe.

Mr. TAVENNER. Prior to that time where did you live?

Mr. GOODELL. In New York City.

Mr. TAVENNER. How long did you live in New York City?

Mr. GOODELL. About 10 or 11 years, I believe.

Mr. TAVENNER. How were you employed in New York just prior to coming to Baltimore?

Mr. GOODELL. I didn't come from New York City directly to Baltimore, but I was employed at the Syracuse district of the United States engineers at the time I came to Baltimore, up to the time I came to Maryland.

Mr. TAVENNER. How long had you been so employed?

Mr. GOODELL. I think all together I worked for the United States engineers about 2 years.

Mr. TAVENNER. When you came to Maryland where did you first engage in work?

Mr. GOODELL. Easton, Md.

Mr. TAVENNER. Where?

Mr. GOODELL. Easton, Md.

Mr. TAVENNER. How long were you there?

Mr. GOODELL. About 6 months.

Mr. TAVENNER. For whom did you work?

Mr. GOODELL. The field office of the United States engineers.

Mr. TAVENNER. Then you left that position and went to Baltimore?

Mr. GOODELL. I was transferred into the Baltimore field office.

Mr. TAVENNER. The Baltimore field office of the same employer?

Mr. GOODELL. That is right.

Mr. TAVENNER. How long did you remain employed by that employer?

Mr. GOODELL. For about 6 months.

Mr. TAVENNER. Six months?

Mr. GOODELL. At that office; yes.

Mr. TAVENNER. Then what was your employment immediately after that?

Mr. GOODELL. I went to work at Westinghouse, Westinghouse Electric Corp.

Mr. TAVENNER. Now what was the date that you went to Westinghouse?

Mr. GOODELL. I believe it was in July of 1943.

Mr. TAVENNER. Prior to that time you had been an employee of the United States engineers?

Mr. GOODELL. That is right.

Mr. TAVENNER. Beginning at what date?

Mr. GOODELL. About July 1941.

Mr. TAVENNER. 1941?

Mr. GOODELL. Yes.

Mr. TAVENNER. What was the nature of your work while employed by the Government—that is, by the United States engineers?

Mr. GOODELL. I was a draftsman.

Mr. TAVENNER. Working on projects of what type?

Mr. GOODELL. What they call more or less civil engineering work, it had to do with the construction of airports, later on with the dredging of harbors, make up drawings.

Mr. TAVENNER. What was the nature of your employment after you became employed by Westinghouse? Did you say Westinghouse?

Mr. GOODELL. That is right.

Mr. TAVENNER. What has been the nature of your employment there?

Mr. GOODELL. I was a draftsman there working on what they call mechanical drafting.

Mr. TAVENNER. You began your work with Westinghouse in 1943; how long did you work there?

Mr. GOODELL. Till the fall of 1945.

Mr. TAVENNER. And how have you been employed since the fall of 1945?

Mr. GOODELL. I worked at Bethlehem Steel for about 4 years.

Mr. TAVENNER. That would bring you up to 1949 approximately?

Mr. GOODELL. About that; yes, sir.

Mr. TAVENNER. What was the nature of your employment at Bethlehem Steel?

Mr. GOODELL. Drafting.

Mr. TAVENNER. Same thing. What type of drafting?

Mr. GOODELL. Well, most of the time I was there it was having to do with piping, sewers, water supply, and so forth.

Mr. TAVENNER. Now how have you been employed since 1949?

Mr. GOODELL. At Bendix-Friez.

Mr. TAVENNER. What is the nature of your employment there?

Mr. GOODELL. Drafting.

Mr. TAVENNER. Are you still employed at Bendix-Friez?

Mr. GOODELL. Yes.

Mr. TAVENNER. What business is that company engaged in?

Mr. GOODELL. Manufacture of weather instruments.

Mr. TAVENNER. Weather instruments?

Mr. GOODELL. Yes.

Mr. TAVENNER. Were you an officer of lodge 854 of the International Workers' Order while you were employed at Bethlehem Steel?

Mr. GOODELL. I decline to answer that question on the ground that my answer may tend to incriminate me.

Mr. TAVENNER. Well, I show you a photostatic copy of a letter purportedly signed by John Goodell on the stationery of the International Workers' Order, Lodge 854, and I will ask you to examine it and state whether or not that is your signature.

Mr. GOODELL. I decline to answer that question on the ground that it may tend to incriminate me, my answer may.

Mr. TAVENNER. Now what is your present address in Baltimore?

Mr. GOODELL. 1819 Walnut Avenue.

Mr. TAVENNER. Now will you examine the letter again and state whether that is the address that appears on the letter, right at the end?

Mr. GOODELL. May I consult my counsel?

Mr. TAVENNER. Yes.

Mr. GOODELL (after conferring with his counsel). I decline to answer on the ground that my answer may tend to incriminate me.

Mr. TAVENNER. This letter is also signed by the name John Goodell, recording secretary. What organization was it that you were the recording secretary?

Mr. GOODELL. I decline to answer on the grounds that my answer may tend to incriminate me.

Mr. TAVENNER. I desire to have the document in evidence and ask that it be marked as "Exhibit No. 1."

Mr. WOOD. What is the date?

Mr. TAVENNER. It has no date. Wait a minute. Yes; that is correct, it has no date.

Mr. WOOD. It will be admitted.

(The document above referred to, marked "Goodell Exhibit No. 1," is filed herewith.)

Mr. TAVENNER. Are you now a member of the International Workers' Order?

Mr. GOODELL. I decline to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Were you at any time a member of the central committee of the International Workers' Order?

Mr. GOODELL. I decline to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Mr. Goodell, are you now or have you ever been a member of the Communist Party?

Mr. GOODELL. I decline to answer on the ground that my answer may tend to incriminate me.

Mr. TAVENNER. While you were employed at Bethlehem Steel Co. were you a member of the Steel Club of the Communist Party?

Mr. GOODELL. I decline to answer on the ground that my answer may tend to incriminate me.

Mr. TAVENNER. Were you ever a member of the Liberty Club of the Communist Party?

Mr. GOODELL. I decline to answer on the ground that my answer may tend to incriminate me.

Mr. TAVENNER. At the time you were employed at Westinghouse, which was between 1943 and 1945, was there a cell of the Communist Party among the employees of that organization?

Mr. GOODELL. I decline to answer on the ground that my answer may tend to incriminate me.

Mr. TAVENNER. Was there a Communist Party cell in Bethlehem Steel Corp. while you were working there?

Mr. GOODELL. I decline to answer on the ground that my answer may tend to incriminate me.

Mr. TAVENNER. Were you at any time a member of, a delegate to, or a delegate for the State committee of the Communist Party?

Mr. GOODELL. I decline to answer on the ground previously stated.

Mr. TAVENNER. Now you have stated that you worked for the United States engineers from 1941 to 1943?

Mr. GOODELL. That is right.

Mr. TAVENNER. Were you required to sign a loyalty oath as an employee of the United States engineers?

Mr. GOODELL. I don't remember what all I had to sign. Most every job——

Mr. TAVENNER. Did you sign an affidavit at the time of your employment or at any time while you were there to the effect that you were not a member of an organization which advocated the overthrow of the United States Government?

Mr. GOODELL. I still don't remember all the papers I may or may not have signed.

Mr. TAVENNER. You would know whether you signed a paper of that description, an affidavit, would you not?

Mr. DUBROW. He stated he doesn't remember, sir.

Mr. GOODELL. I don't remember.

Mr. KEARNEY. Where did you understand he was employed?

Mr. TAVENNER. At Bendix-Friez.

Mr. KEARNEY. Are they engaged at the present time in any United States war contracts?

Mr. GOODELL. Yes; I believe they are.

Mr. WOOD. Are there any further questions?

Mr. TAVENNER. No, sir.

Mr. WOOD. Mr. Walter?

Mr. WALTER. Mr. Goodell, this committee has information to the effect that there is a Communist cell in the plant in which you are employed, and we have every reason to believe that you could aid this committee in its attempt to ascertain the ramifications of such movement in this company, and we were hoping when we subpoenaed you that you would be willing as a good American citizen to assist the committee. Do you know of the existence of a Communist cell in the Bendix plant?

Mr. GOODELL. I decline to answer on the ground that my answer may tend to incriminate me.

Mr. WALTER. When you signed these applications for employment in 1941 with the Federal Government, were you at that time a member of the Communist Party?

Mr. GOODELL. I decline to answer on the ground that my answer may tend to incriminate me.

Mr. WALTER. That is all.

Mr. WOOD. Mr. Kearney?

Mr. KEARNEY. No.

Mr. WOOD. You say that you do not recall what you did sign when you entered the employment of the Federal Government is that true?

Mr. GOODELL. That is right.

Mr. WOOD. If you signed an affidavit to the effect that you were not at that time and never had been a member of any organization whose purpose and aim it was to overthrow the Government of the United States, if you signed such an affidavit as that, was it true or false?

Mr. CODELL. I decline to answer on the ground that my answer may tend to incriminate me.

Mr. WOOD. Any further questions by the counsel?

Mr. TAVENNER. No, sir, no questions.

Mr. WOOD. Is there any reason why this witness should not be excused from further attendance on the committee?

Mr. TAVENNER. No, sir.

Mr. WOOD. So ordered.

(Witness excused.)

Mr. WOOD. We will have to quit here because of the quorum call. How many witnesses do we have left for today?

Mr. TAVENNER. At least three.

Mr. WOOD. I wonder if you gentlemen can meet here at 2 o'clock?

The committee will stand in recess until 2 o'clock.

(The hearing was recessed at 11:55 a. m. to reconvene at 2 p. m. of the same day.)

(Testimony of three of the witnesses heard in the afternoon session is printed in another volume under same title, pt. 1.)

AFTERNOON SESSION

Mr. WOOD. Let the committee be in order, and let the record disclose that for the purpose of this investigation this afternoon, I, as chairman of the committee, have set up a subcommittee consisting of Messrs. Walter, Doyle, Kearney, and Wood. We are all present.

Who is your next witness? ¹

Mr. TAVENNER. Mr. Oscar Roberts.

Mr. WOOD. Mr. Roberts, will you raise your right hand and be sworn?

Do you solemnly swear the evidence you give this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROBERTS. I do.

Mr. BUCHMAN. I want to object to the absence of a quorum.

Mr. WOOD. Let the record show that a subcommittee composed of Messrs. Walter, Doyle, Kearney, and Wood has been designated by me, as the chairman, for the purpose of conducting this investigation, and that they are all present.

TESTIMONY OF OSCAR ROBERTS, ACCOMPANIED BY HIS COUNSEL, HAROLD BUCHMAN

Mr. TAVENNER. Will you state your full name, please?

Mr. ROBERTS. Oscar Roberts.

Mr. TAVENNER. You are represented here by counsel?

Mr. ROBERTS. I am.

¹ Testimony of the preceding witnesses heard by the Committee on Un-American Activities during the afternoon session on this day, Robert W. Lee and Louis Pearlman, is printed in another volume under same main title, pt. 1, with subtitle, "Based on Testimony of Mary Stalcup Markward."

Mr. TAVENNER. Will counsel identify himself for the record, please?

Mr. BUCHMAN. Harold Buchman, 213 Tower Building, Baltimore.

Mr. TAVENNER. Mr. Roberts, will you state briefly your educational training?

Mr. ROBERTS. I have no formal education.

Mr. TAVENNER. Where do you now reside?

Mr. ROBERTS. 3800 Garrison Avenue, Baltimore, Md.

Mr. TAVENNER. How long have you lived in Baltimore?

Mr. ROBERTS. I would say roughly 28 or 29.

Mr. TAVENNER. Since 1928 or 1929?

Mr. ROBERTS. No; 28 or 29 years.

Mr. TAVENNER. When and where were you born?

Mr. ROBERTS. I was born in Russia.

Mr. TAVENNER. When?

Mr. ROBERTS. 1907.

Mr. TAVENNER. When did you come to the United States?

Mr. ROBERTS. In 1922.

Mr. TAVENNER. Are you naturalized?

Mr. ROBERTS. I am.

Mr. TAVENNER. When were you naturalized?

Mr. ROBERTS. Through derivative papers.

Mr. WOOD. I didn't understand the answer.

Mr. TAVENNER. Through derivative papers.

You mean through the naturalization of your father and you became a citizen of the United States?

Mr. ROBERTS. That is correct.

Mr. TAVENNER. When was your father naturalized?

Mr. ROBERTS. I wouldn't remember the date.

Mr. TAVENNER. Can you give us the approximate year?

Mr. ROBERTS. It would be roughly 1921 or 1922. I don't remember.

Mr. TAVENNER. I understood you to say you came to the United States in 1922?

Mr. ROBERTS. That is right.

Mr. TAVENNER. Was that after the naturalization of your father?

Mr. ROBERTS. I don't remember. I would have to look at the papers.

Mr. TAVENNER. Don't you know if your father came here ahead of you.

Mr. ROBERTS. He came ahead of me; yes.

Mr. TAVENNER. And was he naturalized prior to your coming to this country?

Mr. ROBERTS. I don't know. I am assuming.

Mr. TAVENNER. Where was your father naturalized?

Mr. ROBERTS. In Baltimore, Md.

Mr. TAVENNER. Where were you issued your derivative citizenship papers and on what date?

Mr. ROBERTS. I used my father's papers.

Mr. TAVENNER. What was your father's name?

Mr. ROBERTS. I decline to answer that question on the grounds it may tend to incriminate me.

Mr. WALTER. Under what name was your father naturalized?

Mr. ROBERTS. I decline to answer that question for the same reasons.

Mr. WOOD. Was it Roberts?

Mr. ROBERTS. I can't hear you.

Mr. WOOD. Was your father's name Roberts?

Mr. ROBERTS. No, sir.

Mr. WOOD. I think, Mr. Counsel, if you will pardon me, that the name under which his father obtained his naturalization papers, and the name under which this witness was born, and when and how he acquired the name of Roberts, are material to the investigation here under way.

You were asked under what name your father obtained his naturalization papers, which you say you used in lieu of having your own, and you declined to answer that question on the ground of possible self-incrimination. Is that right?

Mr. ROBERTS. Yes.

Mr. WOOD. I direct you to answer that question.

Mr. ROBERTS. I still refuse to answer the question on grounds of self-incrimination. The records are in Baltimore City.

Mr. WOOD. Yes; if we knew what to look for. That is exactly what we are asking you, under what name it could be found.

Then I will ask you when you acquired the name of Roberts and how?

Mr. ROBERTS (after consulting with his counsel). I still refuse to answer that question on grounds of self-incrimination.

Mr. WOOD. Well, now, I direct that you answer that question.

Mr. ROBERTS. I still refuse to answer that question on grounds of self-incrimination.

Mr. WOOD. All right.

Mr. WALTER. How long have you used the name of Roberts?

(The witness consults with his counsel.)

Mr. WALTER. How long have you used the name of Roberts?

Mr. ROBERTS. I decline to answer that question on the grounds of self-incrimination.

Mr. WALTER. Did you have your name changed in any legal proceedings?

Mr. ROBERTS (after consulting with his counsel). I did.

Mr. WALTER. Where were the proceedings instituted?

Mr. ROBERTS. Baltimore City.

Mr. WALTER. It is a matter of public record what your name was before it was changed to Roberts. Is that correct?

Mr. ROBERTS. Yes.

Mr. WALTER. What was that name?

Mr. ROBERTS. I still refuse to answer that question on grounds of self-incrimination.

Mr. DOYLE. May I ask a question?

Mr. WOOD. Mr. Doyle.

Mr. DOYLE. I believe, from your statement, you came to this country when you were about 15 years old?

Mr. ROBERTS. Something like that.

Mr. DOYLE. How old were you when you had your name changed from whatever it was in Russia, where you were born, to what it is now, Oscar Roberts?

Mr. ROBERTS (after consulting with his counsel). I still decline to answer that question on grounds of self-incrimination.

Mr. WOOD. Mr. Roberts, you were asked by a member of the committee, Mr. Walter, what your name was prior to the time you had it changed, which you say was done legally in the court, and you

declined to answer that question on grounds of possible self-incrimination. Is that right?

Mr. ROBERTS. I didn't quite get your question.

Mr. WOOD. I understand Mr. Walter, a member of the committee, to ask you a moment ago what your name was prior to the time you had it changed. You said you had it changed by court action; is that right?

Mr. ROBERTS. Yes.

Mr. WOOD. And when he asked you what your name was prior to the time of the change, you declined to answer; is that true?

Mr. ROBERTS. I declined to answer that question on grounds of self-incrimination.

Mr. WOOD. I direct you to answer that question of what your name was prior to the time it was changed to Roberts in a court proceeding, as you have indicated.

Mr. ROBERTS. I still decline to answer on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WOOD. I believe you say that you came to this country yourself in 1927?

Mr. ROBERTS. No; I said in 1922.

Mr. WOOD. In 1922; and that your father was a naturalized citizen either 1920 or 1921; is that right?

Mr. ROBERTS. No. I don't know the year. Either 1921 or 1922 or 1920. I don't know.

Mr. WOOD. Were you in America when he obtained his naturalization papers?

Mr. ROBERTS. I don't remember.

Mr. WOOD. Had you ever been to America prior to your arrival here in 1922?

Mr. ROBERTS. I was not.

Mr. WOOD. Any further questions, Mr. Counsel?

Mr. TAVENNER. No further questions.

Mr. WOOD. Mr. Walter?

Mr. WALTER. No.

Mr. WOOD. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. WOOD. Mr. Kearney?

Mr. KEARNEY. I have no questions.

Mr. WOOD. Is there any reason why this witness should not be excused from further attendance on the committee?

Mr. TAVENNER. No, sir.

Mr. WOOD. Very well. You may be excused.

(Witness excused.)

(After testimony of next witness, Peter Edward Forrest, printed in another volume under same title, pt. 1, with subtitle, "Based on Testimony of Mary Stalcup Markward," the hearing adjourned until Wednesday, June 27, 1951, at 10 a. m.)

HEARINGS RELATING TO COMMUNIST ACTIVITIES IN THE DEFENSE AREA OF BALTIMORE—PART 3

WEDNESDAY, JUNE 27, 1951

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities continued the hearing on the above date, at 10:45 a. m., in room 226, Old House Office Building, Hon. John S. Wood (chairman) presiding.¹

Committee members present: Representatives John S. Wood, (chairman), Bernard W. Kearney, and Donald L. Jackson.

Staff members present: Frank S. Tavenner, Jr., counsel; Donald T. Appell, investigator; Raphael I. Nixon, director of research; John W. Carrington, clerk; and A. S. Poore, editor.

Mr. Wood. Will you call the witness, Mr. Counsel.

Mr. TAVENNER. Mr. Sam Schmerler.

Mr. FORER. Mr. Chairman, I object to proceeding in the absence of a quorum of the full committee, and I object to proceeding under a subcommittee.

Mr. Wood. The subcommittee has been established by virtue of the authority vested in me as chairman.

Will you raise your right hand and be sworn, please, sir?

Do you solemnly swear the evidence you give this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCHMERLER. I do.

Mr. FORER. May the record show that we are proceeding under protest?

Mr. Wood. The record shows whatever you have said.

Mr. FORER. Thank you.

TESTIMONY OF SAMUEL SCHMERLER, ACCOMPANIED BY HIS COUNSEL, JOSEPH FORER

Mr. TAVENNER. Will you state your full name?

Mr. SCHMERLER. Samuel Schmerler.

Mr. TAVENNER. Are you represented by counsel?

Mr. SCHMERLER. Yes, Mr. Joseph Forer.

¹ Testimony of the preceding witness heard by the Committee on Un-American Activities on this day, Aaron Ostrofsky, is printed in another volume under same title, pt. 1, with subtitle, "Based on Testimony of Mary Stalcup Markward."

Mr. FORER. 711 Fourteenth Street NW., Washington, D. C.

Mr. WOOD. I think the record should show that a majority of the subcommittee set up this morning is present, and for the purposes of hearing this witness I will add to that subcommittee another member, Mr. Doyle.

Mr. TAVENNER. Will you state when and where you were born?

Mr. SCHMERLER. I was born in Brooklyn, N. Y., October 7, 1912.

Mr. TAVENNER. Will you state what your educational training has been?

Mr. SCHMERLER. I went to high school in New York City; college in New York City; spent 1 year at a university in Switzerland; 2 years at night law school, George Washington University. That is it.

Mr. TAVENNER. When did you complete your work at the law school at George Washington University?

Mr. SCHMERLER. 1938.

Mr. TAVENNER. Where do you now reside?

Mr. SCHMERLER. 5603 Jonquil Avenue.

Mr. TAVENNER. Baltimore?

Mr. SCHMERLER. Baltimore.

Mr. TAVENNER. How long have you lived in Baltimore?

Mr. SCHMERLER (after conferring with his counsel). About 9 years.

Mr. TAVENNER. Prior to that where did you live?

Mr. SCHMERLER (after conferring with his counsel). Washington, D. C.

Mr. TAVENNER. How long did you live in Washington?

Mr. SCHMERLER. Seven years.

Mr. TAVENNER. How are you now employed?

Mr. SCHMERLER. I am employed at R. Mars, the Contract Co., 110 South Hanover Street, Baltimore.

Mr. TAVENNER. How long have you worked in that position?

Mr. SCHMERLER. About 2½ years.

Mr. TAVENNER. Prior to that time how were you employed?

Mr. SCHMERLER. I was employed in the United States Government.

Mr. TAVENNER. Where? In Baltimore?

Mr. SCHMERLER. In both Washington and Baltimore.

Mr. TAVENNER. What was the nature of your employment?

Mr. SCHMERLER (after conferring with his counsel). Most of that time I was working for Social Security.

Mr. TAVENNER. Were you working for Social Security all of the time that you were working for the Government in Baltimore?

Mr. SCHMERLER. Yes, sir.

Mr. TAVENNER. Were you working for Social Security in Washington at the time you transferred to Baltimore?

Mr. SCHMERLER. Yes, sir.

Mr. TAVENNER. When did your work begin with Social Security?

Mr. SCHMERLER. 1936.

Mr. TAVENNER. Did you file Form 57 when you were employed by Federal Government?

Mr. SCHMERLER (after conferring with his counsel). I don't know what form you are referring to.

Mr. TAVENNER. Most Government employees are required to file a form which is universally called Form 57, giving certain personal data regarding themselves and including also an affidavit with regard to their loyalty.

Do you recall whether or not you filed such an affidavit or form?

Mr. SCHMERLER (after conferring with his counsel). I filled out some application form. I am not sure of the details of what it said.

Mr. TAVENNER. Section 17 of Form 57 contains the language which I am now going to read to you:

Do you advocate or have you ever advocated, or are you now or have you ever been a member of any organization that advocates, the overthrow of the Government of the United States by force and violence?

Mr. FORER. Excuse me, Mr. Tavenner, but do you remember the date when that was first put into Form 57?

Mr. TAVENNER. The language was different at different times. I am not certain of the date. Possibly the witness will recall whether or not he answered such a question.

Mr. SCHMERLER. I do not.

Mr. TAVENNER. Do you recall whether or not you made any representations to the Government, at the time of your employment or at any time while you were employed by the Government, that you were not a member of any organization that advocates the overthrow of the Government of the United States by force and violence?

Mr. SCHMERLER (after conferring with his counsel). I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. TAVENNER. At the time you became employed by the Government of the United States, or at any time while you were so employed, were you a member of any organization that advocates the overthrow of the Government of the United States by force and violence?

Mr. SCHMERLER. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. TAVENNER. Did you resign from the Social Security Board?

Mr. SCHMERLER. I did.

Mr. TAVENNER. At the time that you resigned, was a loyalty investigation being conducted regarding you?

Mr. SCHMERLER. I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. TAVENNER. Immediately after the severance of your connections with the Federal Government, did you release a letter to the members of local 17, United Public Workers, to the effect that loyalty charges against you were phony?

Mr. SCHMERLER. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. TAVENNER. Were you president at any time of local 17 of the United Public Workers?

Mr. SCHMERLER. I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. TAVENNER. We are anxious to learn, Mr. Schmerler, of Communist activities within any labor union or any other organizations of which you may have been a member, so I would like to ask you the question of whether you know of any Communist activities of any union of which you may have been a member?

Mr. SCHMERLER. I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. TAVENNER. Was Mr. Irving Kandel, K-a-n-d-e-l, employed by the Social Security Board at the time you were employed there?

Mr. SCHMERLER. I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. TAVENNER. At the time you were employed by the Social Security Board, were you a member of the white collar section of the Communist Party?

Mr. SCHMERLER. I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. TAVENNER. Were you ever a member of the Ben Franklin Club of the Communist Party?

Mr. SCHMERLER. I refuse to answer that question on the same ground.

Mr. TAVENNER. Are you acquainted with Rose Gordon, who was at one time editor of the Staff News of local 17?

Mr. SCHMERLER. I refuse to answer that question on the same ground.

Mr. TAVENNER. Was Mr. Rudolph Hindin, H-i-n-d-i-n, president of local 17 at any time you were a member of it?

Mr. SCHMERLER. I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. TAVENNER. Mr. Schmerler, I hand you a photostatic copy of a letter on the stationery of Conference on Fair Employment Practices, purportedly signed by you as publicity committee, and bearing date October 23, 1950.

Will you examine the signature and state whether or not that is your signature?

Mr. SCHMERLER (after conferring with his counsel). I refuse to answer that question on the ground it might tend to incriminate me.

Mr. TAVENNER. Were you a member of or the publicity committee of the Fair Employment Practices Conference in 1950?

Mr. SCHMERLER. I refuse to answer that question on the same grounds, and I might add I don't see how fair employment practices can be considered subversive by any committee.

Mr. TAVENNER. Then why are you refusing to answer the question?

Mr. SCHMERLER. I refuse to answer that question on the same grounds, that it might tend to incriminate me.

Mr. TAVENNER. That is your judgment that you are placing on it.

I have before me a call for a Greater Baltimore Conference on Fair Employment Practices for October 31, 1950, which closes in this manner: "Sincerely and fraternally, Mrs. Gertrude Seif, chairman pro tem, committee on arrangements."

Do you know whether or not she was a member of the Communist Party?

Mr. SCHMERLER. I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. TAVENNER. Do you know whether or not she is the wife of Milton Seif?

Mr. SCHMERLER. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. TAVENNER. I believe that is all, Mr. Chairman.

Mr. WOOD. Mr. Doyle, do you have any questions of this witness?

Mr. DOYLE. Mr. Schmerler, I think in answer to our counsel's question when he asked you about your employment with the Federal Government, you said—and I wrote down your answer: "Most of that time I was working for the Social Security Board."

Where were you working the rest of the time you were employed by the Federal Government?

Mr. SCHMERLER. Part of that time I was working with the FBI in the Fingerprint Division.

Mr. DOYLE. You didn't volunteer that information when questioned by Mr. Tavenner, did you?

Mr. FORER. I understood the question to be "immediately preceding."

Mr. DOYLE. I thought Mr. Tavenner's question asked for an answer on how long he worked for the Federal Government and in what departments.

Mr. SCHMERLER. Mr. Chairman, in answer to Mr. Doyle's question, I did not understand the question to be the entire period of my employment with the Federal Government.

Mr. TAVENNER. If there is any question about that, will you answer it now: Were you employed at any time by the Federal Government other than by Social Security and the FBI?

Mr. SCHMERLER. No, sir.

Mr. TAVENNER. When were you employed by the FBI?

Mr. SCHMERLER. 1935 and 1936.

Mr. TAVENNER. You say you were employed in the Fingerprint Division?

Mr. SCHMERLER. That is right.

Mr. TAVENNER. Did your employment result from the submission of your name by Civil Service to the FBI?

Mr. SCHMERLER (after conferring with his counsel). Mr. Chairman, I wasn't familiar with the workings of the Civil Service Commission at that time, but I assume it went through normal routine, since I took a civil service examination.

Mr. TAVENNER. You took a civil service examination for a position in that Division?

Mr. SCHMERLER. The examination was entitled "Junior Civil Service Examiner" and had nothing to do in particular with the FBI. Hiring I think was done from that list and from another list.

Mr. TAVENNER. Then a list was furnished by Civil Service containing your name to the FBI, and you were selected from that list. When did you leave your position there?

Mr. SCHMERLER. 1936.

Mr. TAVENNER. Were you discharged?

Mr. SCHMERLER (after conferring with his counsel). I resigned at that time.

Mr. TAVENNER. Did you resign as a result of directions from the Department?

Mr. SCHMERLER (after lengthy consultation with his counsel). I refuse to answer that question on the ground that it might tend to incriminate me.

Mr. TAVENNER. Were you at that time a member of the Communist Party?

Mr. SCHMERLER. I refuse to answer that question on the same ground.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. SCHMERLER. I refuse to answer that question on the same ground.

Mr. TAVENNER. I have no further questions.

Mr. WOOD. At the time you took employment with the FBI, were you a member of the Communist Party then?

Mr. SCHMERLER. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. WOOD. Proceed, Mr. Doyle.

Mr. DOYLE. Have you ever been a member of the Communist Party?

Mr. SCHMERLER. I refuse to answer that question on the same ground.

Mr. DOYLE. I think in answer to another question by Mr. Tavenner with reference to fair employment practices or wages, you volunteered the statement that you thought it had nothing to do with subversive conduct. Did I so understand?

Mr. SCHMERLER. I said I don't see how any committee of Congress can consider fair employment practices subversive.

Mr. DOYLE. Then you do understand that one function of this committee is to undertake to find subversive conduct wherever it exists? You understand that that is one purpose of this committee, I take it, from your answer?

Mr. SCHMERLER (after conferring with his counsel). I understand that that is purported to be a function of this committee, but as to how it is exercising its function, that is another matter.

Mr. DOYLE. Have you ever read the law? You know that is one of the functions of this committee by act of Congress, don't you?

Mr. SCHMERLER (after conferring with his counsel). I haven't read the law.

Mr. DOYLE. You have heard about it, and you have read about it, and you know that one of our purposes is to uncover subversive people and groups, and that is why you volunteered that statement; isn't that true?

Mr. SCHMERLER (after conferring with his counsel). My counsel, who is more familiar with the law than I am, advises me that the law says the committee is authorized to investigate un-American propaganda. I still maintain the same point in regard to any fair employment practices.

Mr. DOYLE. You have consulted your counsel, and as a result of that consultation you have made the statement you have just made, haven't you?

I realize I have no right to go into the matter of what you and your counsel talked about, but haven't you been advised, by your counsel or otherwise, that the committee is authorized to go into subversive activities?

Mr. FORER. May I answer that, Mr. Doyle?

Mr. KEARNEY. Who is testifying? He is asking the witness.

Mr. FORER. I don't think he should ask the witness what his counsel told him.

Mr. DOYLE. I am not trying to go into the confidential conversation between you and your client. I am a lawyer, too. But I think it is significant that he conferred with you and then answered, leaving out the word "subversive," which is what I was asking about.

Mr. FORER. It says "subversive activities," and it also says "propaganda activities."

Mr. DOYLE. I should like the record to show that this committee is not entirely uninformed as to its jurisdiction. I read from page 19, Public Law 601, Seventy-ninth Congress:

The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

Mr. FORER. The point was on propaganda. Your question goes beyond propaganda.

Mr. WOOD. The member of the committee is interrogating the witness. Let the witness answer.

Mr. DOYLE. I think the record will show I was questioning him about subversive activities and not un-American activities, if there is any difference in the witness' mind.

What, in your mind, is subversive?

Mr. SCHMERLER. For one thing, I think it would be subversive to try to incite the prolongation of wars; of unfair employment practices; of low wages; of starvation conditions; and so on; or, in short, many of the very things that this committee discusses under the heading of what might be subversive.

Mr. DOYLE. I presumed you would make some such statement as that, because of your previous answers to questions by our counsel.

You would take it, though, even though your definition of subversive and the definition of Mr. Webster differ very radically. Are you familiar with Mr. Webster's definition, or have you even taken the time to read it? It is no laughing matter, I assure both of you.

Mr. SCHMERLER. I was not laughing. I have not looked up the definition of subversive, but history itself determines who the real subversives are, not Mr. Webster.

Mr. DOYLE. Mr. Webster defines subversive as meaning to destroy.

What were your duties with the FBI when you were working for them? What were your daily duties?

Mr. SCHMERLER (after conferring with his counsel). I was a fingerprint classifier.

Mr. DOYLE. Was that your whole duty all the time you worked for the FBI?

Mr. SCHMERLER. To my recollection.

Mr. DOYLE. Is there any way you can refresh your recollection?

Mr. SCHMERLER. I don't recall any other duties 15 years later.

Mr. DOYLE. You only worked for them about a year and a half?

Mr. SCHMERLER. A year.

Mr. DOYLE. I will ask you again whether or not, during the approximately 12 months you worked for the FBI, you performed any other duties for the FBI other than those of a fingerprint classifier?

Mr. SCHMERLER. The entire time I worked in the fingerprint section.

Mr. DOYLE. Are you a member of the Elks?

Mr. SCHMERLER. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. DOYLE. Are you a member of a Moose Lodge?

Mr. SCHMERLER. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. DOYLE. Are you a member of an Eagles' Lodge?

Mr. SCHMERLER. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. DOYLE. Are you a member of a chapter of the Masons?

Mr. SCHMERLER. I refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. DOYLE. Or of any chapter of B'nai B'rith or other organization of people of Jewish ancestry?

Mr. SCHMERLER. I refuse to answer the question on the same ground.

Mr. DOYLE. Or of the Knights of Columbus or any organization identified with the Catholic faith?

Mr. SCHMERLER (after conferring with his counsel). I resent the committee's religious inference, Mr. Chairman.

Mr. DOYLE. There is no religious inference.

Mr. SCHMERLER. I refuse to answer the question on the same ground.

Mr. DOYLE. I am just trying to find out how you differentiate, if you do, between being a member of the Communist Party, if you ever were, and being a member of any of these groups, if you ever were. That was the purpose of my questions.

Have you ever been an officer or employee of the national Communist Party or committee in any way? Have you ever been an organizer for them, or an agent for them?

Mr. SCHMERLER. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. DOYLE. I noticed you stated you went to Switzerland and took a year's work. Is Switzerland the only country you went to from the United States, or have you traveled in any other European country?

Mr. SCHMERLER. Naturally, to get to Switzerland you have to pass through other countries. You have to pass through France, and I spent a little time in Italy and Germany.

Mr. DOYLE. About how long in Germany, and where?

Mr. SCHMERLER. Two weeks in Berlin, and two weeks in the southern part of Germany.

Mr. DOYLE. What was your occupation that called for your spending 4 weeks in Germany while on your way to Switzerland?

Mr. SCHMERLER. It was not on my way to Switzerland. My father had died in Berlin while I was in Switzerland, and I was called there to attend to the winding up of his affairs.

The second visit, to the southern part of Germany, was as a student, to find out how the German people were faring under Hitler.

Mr. DOYLE. And what was your object in going to Italy, and how long were you there?

Mr. SCHMERLER. Three days as a tourist.

Mr. DOYLE. Were these three countries in Europe the only three that you visited?

Mr. SCHMERLER. That is right.

Mr. DOYLE. At any time?

Mr. SCHMERLER. That is right.

Mr. DOYLE. If you were called by the United States of America to enlist in its military service now, or approximately now, with reference to the military action in Korea, would you cordially serve in the military service of the United States?

Mr. SCHMERLER. I think that question is a hypothetical question, because I was not even called in the last war.

Mr. DOYLE. Why were you not called in the last war?

Mr. SCHMERLER. I was a pre-Pearl Harbor father.

Mr. DOYLE. You didn't volunteer?

Mr. SCHMERLER. No.

Mr. DOYLE. How old were you at the time of Pearl Harbor?

Mr. SCHMERLER. About 28.

Mr. DOYLE. Granting that the question I asked you as to whether or not you would serve cordially in the military service of the United States is hypothetical, what is your answer?

Mr. SCHMERLER. My answer is that in defense of my country I would bear arms.

Mr. DOYLE. In defense of your country and against the Soviet Union would you bear arms?

Mr. SCHMERLER. Against an aggressive attack by anyone I would gladly bear arms. However, I think the question is loaded, since there is no evidence the Soviet Union plans an aggressive attack.

Mr. DOYLE. You have answered my question. My question was loaded or undertake, with all the ability I have as an American father, to uncover any subversive activities by anyone. My question was not asked to embarrass anyone, and I am sorry if it embarrassed you.

Mr. SCHMERLER. In the same spirit, I feel working for peace to be as patriotic a duty as defending your country in the event of war.

Mr. DOYLE. So do I, and my son was killed in the last war, so I am working for peace as vigorously as anyone else.

I think that is all, Mr. Chairman.

Mr. WOOD. Mr. Kearney.

Mr. KEARNEY. Do you believe the Communist Party to be a subversive organization?

Mr. SCHMERLER. I object to that question. I believe it invades the sphere of ideas and thoughts.

Mr. WOOD. What is your answer to it, sir?

Mr. KEARNEY. That is what I would like to know, what is your answer?

Mr. SCHMERLER. I refuse to answer that question on the ground it might tend to incriminate me, and I reiterate my original statement.

Mr. KEARNEY. Have you ever contributed money to the Communist Party?

Mr. SCHMERLER. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. KEARNEY. That is all.

Mr. WOOD. Mr. Jackson.

Mr. JACKSON. Do you bracket in your mind any Communist investigation and "union busting"? Are they one and the same thing to you?

Mr. SCHMERLER. I made the statement previously that I believe that the activities of this committee tend in the union-busting direction.

Mr. JACKSON. That was not the import of my question. I asked if you bracket them together.

Mr. WOOD. Excuse me a moment. I cannot let that statement go unchallenged.

I will repeat, for the benefit of the witness, that this committee has never sought to enter into any "union busting" activities. However, speaking for myself only, and after the exposition of Communist influences in labor unions, if I could be instrumental in "busting" that kind of labor union, I would be very happy to do it.

(Applause from the audience.)

Mr. JACKSON. May I have the privilege of associating myself with the chairman in that.

Mr. DOYLE. I will do the same thing.

Mr. KEARNEY. So will I.

Mr. JACKSON. Isn't it true that many labor unions purged themselves of communism and Communist leaders?

Mr. SCHMERLER (after conferring with his counsel). I refuse to answer that question on the ground it might tend to incriminate me.

Mr. JACKSON. Would it incriminate you to state whether or not great labor organizations have purged themselves of Communists?

Mr. SCHMERLER. Mr. Chairman, my answer was made as it was because I feel that in the original question there was an implication that only Communists are purged when these purges take place. I believe that—

Mr. WOOD. Are you admitting now, in answer to his question, that purges have been made? The question asked is whether, to your knowledge, labor unions have been purged, any local labor unions have been purged, because of Communist domination.

Is that the question?

Mr. JACKSON. That is correct.

(Representative Francis E. Walter entered the hearing room.)

Mr. SCHMERLER. According to newspaper accounts there have been such oustings of Communists by labor unions, but the reason I considered the question loaded. I feel that these purges become indiscriminate and the rank and file is hit before long.

Mr. WOOD. You say you base that statement on newspaper accounts. The question asked you is whether you have any knowledge of such action by labor unions?

Mr. SCHMERLER. My knowledge is from newspapers, the same as yours; or probably you make investigations, too.

Mr. WOOD. You have no personal knowledge?

Mr. SCHMERLER. I do not know of such purges.

Mr. KEARNEY. Do you have any knowledge of any purge of anti-Communists from any union you were ever connected with?

Mr. SCHMERLER (after conferring with his counsel). I refuse to answer this question on the ground that it might tend to incriminate me.

Mr. JACKSON. Would you sign an oath of loyalty to this country as a condition of employment?

Mr. SCHMERLER. If I were applying for employment I would certainly sign such an oath.

Mr. JACKSON. If you were applying for a passport, would you sign an affidavit that you have never been a member of the Communist Party?

Mr. SCHMERLER. If I were applying for a passport and that was a requirement, I certainly would sign such an affidavit.

Mr. JACKSON. You would?

Mr. SCHMERLER (after conferring with his counsel). I would like to hear the question again.

Mr. JACKSON. If you were applying for a passport for a visit abroad, outside of the United States, would you sign an affidavit stating you were not now and never had been a member of the Communist Party?

Mr. SCHMERLER. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. JACKSON. I have no further questions.

Mr. WOOD. You got a passport when you visited abroad; didn't you?

Mr. SCHMERLER. Yes.

Mr. WOOD. Did you sign such an affidavit then, that you were not and had never been a member of the Communist Party?

Mr. SCHMERLER (after conferring with his counsel). I don't recall such affidavit being required at that time. It was in 1933.

Mr. WOOD. If there was such an affidavit on your application for passport and you signed it, was it true?

Mr. SCHMERLER (after conferring with his counsel). That is a hypothetical question. There wasn't any such affidavit.

Mr. WOOD. Would a statement made by you then that you were not at that time and never had been a member of the Communist Party have been a true statement?

Mr. SCHMERLER (after conferring with his counsel). I refuse to answer that question on the ground it might tend to incriminate me.

Mr. WOOD. Are the countries you named which you visited in 1933 the only foreign countries that you have visited?

Mr. SCHMERLER. Yes.

Mr. WOOD. Any additional questions?

Mr. TAVENNER. Not at this time, but I would like this witness to be held here for possible further questioning.

Mr. WOOD. Today?

Mr. TAVENNER. Yes, sir.

Mr. FORER. Can you give us some idea of the time?

Mr. TAVENNER. Possibly half an hour.

Mr. WOOD. Mr. Walter has just come in. Mr. Walter, do you care to ask this witness any questions?

Mr. WALTER. No.

Mr. SCHMERLER. Am I excused?

Mr. TAVENNER. For the present.

(Witness temporarily excused.)

(Testimony of the next witness, Irving Kandel, is printed in another volume under same title, pt. 1, with subtitle, "Based on the Testimony of Mary Stalcup Markward.")

HEARINGS RELATING TO COMMUNIST ACTIVITIES IN THE DEFENSE AREA OF BALTIMORE—PART 3

THURSDAY, JUNE 28, 1951

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met, pursuant to adjournment at 10:40 a. m., in room 226, old House Office Building, Hon. John S. Wood (chairman of the full committee) presiding until point hereinafter indicated, and Hon. Francis E. Walter (chairman of the subcommittee) presiding thereafter.

Committee members present: Representatives John S. Wood, Francis E. Walter, Clyde Doyle (appearance as noted in transcript), James B. Frazier, Jr., Harold H. Velde, Bernard W. Kearney, Donald L. Jackson (appearance as noted in transcript), and Charles E. Potter.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., assistant counsel; Donald T. Appell, investigator; Raphael I. Nixon, director of research; John W. Carrington, clerk; and A. S. Poore, editor.

Mr. Wood. Let the committee be in order, please.

For the purposes of hearing the witnesses who were subpoenaed before the committee for hearing today, let the record show that acting under the authority vested in me as chairman of this committee, I have set up a subcommittee composed of Messrs. Walter, Frazier, and Kearney to hear this testimony, and they are all present. I will ask Mr. Walter to preside.

(Representative John S. Wood left hearing room.)

Mr. WALTER. Who is your first witness?

Mr. TAVENNER. Mr. William Spiegel.

Mr. WALTER. Mr. Spiegel, will you raise your right hand? Do you swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SPIEGEL. I do.

TESTIMONY OF WILLIAM SPIEGEL

Mr. TAVENNER. Will you please state your full name?

Mr. SPIEGEL. William Spiegel.

Mr. TAVENNER. When and where were you born?

Mr. SPIEGEL. December 13, 1907, New York City.

Mr. TAVENNER. Where do you now reside?

Mr. SPIEGEL. Baltimore.

Mr. TAVENNER. How long have you lived in Baltimore?

Mr. SPIEGEL. Since about 1928.

Mr. TAVENNER. Will you state to the committee briefly what your educational training has been?

Mr. SPIEGEL. Graduate of high school, and attended college for a brief period, approximately a year.

Mr. TAVENNER. How are you now employed?

Mr. SPIEGEL. In manufacturing.

Mr. TAVENNER. What do you mean; manufacturing what?

Mr. SPIEGEL. I am connected with a firm that manufacturers stationery and gift novelties.

Mr. TAVENNER. How long have you been engaged in that type of work?

Mr. SPIEGEL. Since 1936.

Mr. TAVENNER. And prior to that time what was your business?

Mr. SPIEGEL. Prior to that I did a number of miscellaneous things, selling shoes for one.

Mr. TAVENNER. Say in 1936, how were you engaged in business, or how were you employed?

Mr. SPIEGEL. In 1936 I went into my present business. I conceived a few new ideas in certain types of merchandise, and proceeded to manufacture them, starting a business for myself.

(Representative Donald L. Jackson entered hearing room.)

Mr. TAVENNER. Mr. Spiegel, are you acquainted with Whittaker Chambers?

Mr. SPIEGEL. No; I am not.

Mr. TAVENNER. Were there any occasions when photographic equipment, either owned or controlled by Whittaker Chambers, was stored in your apartment?

Mr. SPIEGEL. Not that I know of.

Mr. TAVENNER. Do you recall an occasion in 1936 or about that period when photographic equipment was stored in your apartment?

Mr. SPIEGEL. If anything was stored, I didn't know it was photographic equipment.

Mr. TAVENNER. Apparently something was stored in your apartment?

Mr. SPIEGEL. Yes.

Mr. TAVENNER. Will you tell us about it, please?

Mr. SPIEGEL. During the period which you refer to, I had arrangements with an individual who used our apartment, and during that period there was stored there a case, in which I never looked, and the contents of which I had no precise knowledge.

Mr. TAVENNER. Describe the case a little more in detail, please.

Mr. SPIEGEL. It was simply a black, leather-like material. It looked something like a suitcase.

Mr. TAVENNER. What was the approximate size of it?

Mr. SPIEGEL. I have no clear recollection of that. Probably about the size of a two-suiter, something like that.

Mr. TAVENNER. The size of what?

Mr. SPIEGEL. A two-suiter suitcase.

Mr. WALTER. I think that is a definite enough description.

Mr. SPIEGEL. Yes.

Mr. TAVENNER. Did you say it was black?

Mr. SPIEGEL. Yes, as I recall it.

Mr. TAVENNER. How was it bound?

Mr. SPIEGEL. That I can't tell you.

Mr. TAVENNER. Was it a box that opened, or was it a suitcase?

Mr. SPIEGEL. The only time I saw this was when it was stored in a closet. I had no occasion to move it, no occasion to handle it, and no occasion to inspect it.

Mr. TAVENNER. Do you know anything about the weight of it?

Mr. SPIEGEL. No.

Mr. TAVENNER. Did you ever lift it?

Mr. SPIEGEL. I did not.

Mr. TAVENNER. When was this box placed in your home?

Mr. SPIEGEL. It is very difficult for me to recall exactly. The best I can remember now would be in 1936-37.

Mr. TAVENNER. And for how long a period of time was it there?

Mr. SPIEGEL. Again I can't remember that precisely. In trying to recall it, it would seem for perhaps a month or two or three. It is rather hazy.

Mr. TAVENNER. From 1 to 3 months?

Mr. SPIEGEL. That is a hazy recollection.

Mr. TAVENNER. What was the name of the concern with which you were working at that time?

Mr. SPIEGEL. Korkcraft Products.

Mr. TAVENNER. And where was its place of business located?

Mr. SPIEGEL. At that time, 122 West Franklin Street, Baltimore.

Mr. TAVENNER. Did the individual who stored the package there, the box, in your apartment, remove it from time to time during the course of time that it was being stored there?

Mr. SPIEGEL. Again I don't have a clear recollection of that, but my recollection would be that it was not there constantly.

Mr. TAVENNER. Was it used in any way or opened at any time in your apartment?

Mr. SPIEGEL. Not that I know of.

Mr. TAVENNER. What is your wife's name?

Mr. SPIEGEL. Anna.

Mr. TAVENNER. Did you observe this box closely enough to ascertain whether or not it contained photographic equipment?

Mr. SPIEGEL. I did not.

Mr. TAVENNER. Who was the individual who brought it there, who brought this box to your home?

Mr. SPIEGEL. I don't know who brought it. I only became aware of it after it was there.

Mr. TAVENNER. Who made arrangements with you for the storing of this box in your closet?

Mr. SPIEGEL. An individual by the name of David Zimmerman.

Mr. TAVENNER. David Zimmerman?

Mr. SPIEGEL. Yes.

Mr. TAVENNER. How was David Zimmerman employed at that time, do you know?

Mr. SPIEGEL. I don't know specifically, other than I had heard that he was a paint chemist.

Mr. TAVENNER. Where did he work?

Mr. SPIEGEL. That I didn't know.

Mr. TAVENNER. Where did he live?

Mr. SPIEGEL. I knew he lived in Baltimore, I believe somewhere in east Baltimore. I don't know precisely.

Mr. TAVENNER. How long had you been acquainted with him?

Mr. SPIEGEL. I don't know exactly, but I had known him for quite sometime.

Mr. TAVENNER. Did you know him intimately?

Mr. SPIEGEL. I would say we were rather friendly with him; yes.

Mr. TAVENNER. Did you see him frequently?

Mr. SPIEGEL. We saw him often.

Mr. TAVENNER. What were the circumstances under which he made the arrangement to store this box in your closet?

Mr. SPIEGEL. After we had lived in this apartment a short time—I believe it was a short time—he approached us on one occasion and suggested that he had some work that he would like to do, and that he would be willing to share our rent with us if we could allow him the use of our apartment during the time when we weren't there. We were living downtown at a rather convenient location, and we were away, both my wife and I were away, a great deal of the time, and he felt it would be a very convenient and desirable thing for himself and we saw no particular reason for not doing so. At that time the factor of rent was a very important one. I had just started this particular business in which I was engaged, my earnings were extremely small, and we felt it would be somewhat of a help.

Mr. TAVENNER. How much rent did he pay?

Mr. SPIEGEL. Twenty dollars a month.

Mr. TAVENNER. For how long a period of time?

Mr. SPIEGEL. That I can't tell you exactly, either, except that it was for several months.

Mr. TAVENNER. Would your records show the exact period of time?

Mr. SPIEGEL. No.

Mr. TAVENNER. Would your bank book show the deposits of the rent during the period he paid you?

Mr. SPIEGEL. No, it would not. We probably used it as cash.

Mr. TAVENNER. Did he pay you by check or in cash?

Mr. SPIEGEL. In cash.

Mr. TAVENNER. What work did Mr. Zimmerman state that he desired to use your apartment for?

Mr. SPIEGEL. He didn't state specifically, other than we knew—we were under the impression, at least—that he was doing writing; and we felt that it probably was for that purpose that he made those arrangements.

Mr. TAVENNER. What type of writing did he do?

Mr. SPIEGEL. We understood that he was working on a novel.

Mr. TAVENNER. Do you know anything more about it? Do you know the name of the novel?

Mr. SPIEGEL. No, nor did he. No, I don't know the name of the novel.

Mr. TAVENNER. Did he finally publish the novel?

Mr. SPIEGEL. Not that I know of.

Mr. TAVENNER. Did you ever hear of the novel after he used your home?

Mr. SPIEGEL. No.

Mr. TAVENNER. What use did he tell you he had made of your property during the months he used it?

Mr. SPIEGEL. We had no reason to question him. We were not dissatisfied at the time.

Mr. TAVENNER. He was a good friend of yours, a person with whom you were on intimate terms, such as you would share your apartment with him, and did do it, and he said he had some work to do, and that was the reason he wanted the use of your home.

It is quite unreasonable that you did not, during that period of time, have some idea as to what type of work he was doing there, and I am sure if you stop to reflect upon that you will be able to recall enough of the circumstances that you can give the committee an idea of what that work was.

Mr. SPIEGEL. I don't entirely agree with your reasoning there. I can understand how a person might prefer an opportunity to work and think alone, and we, as friends, certainly felt no reason for prying into the way in which he spent his time at our apartment. We knew, or rather we felt, that there was nothing happening there that was in any way injurious to the apartment. It wasn't disturbed. And for that reason we felt no need for prying into his activities.

Mr. TAVENNER. You were in and out of the apartment during this period of 3 months?

Mr. SPIEGEL. Oh, yes.

Mr. TAVENNER. You were living there?

Mr. SPIEGEL. Correct.

Mr. TAVENNER. During the entire period, were you not?

Mr. SPIEGEL. Yes.

Mr. TAVENNER. And your wife was living there at the same time?

Mr. SPIEGEL. That is right.

Mr. TAVENNER. Was your wife employed at that time, or did she live there as a housekeeper?

Mr. SPIEGEL. She was employed.

Mr. TAVENNER. How was she employed at that time?

Mr. SPIEGEL. As a teacher.

Mr. TAVENNER. At what time of the day or night did Mr. Zimmerman use your apartment?

Mr. SPIEGEL. There was no regular program as far as we knew.

Mr. TAVENNER. Did it vary, sometimes in the day and sometimes at night, that he used it?

Mr. SPIEGEL. As best I can remember, it was the daytime.

Mr. TAVENNER. You were in the home on a number of occasions when he was there, were you not?

Mr. SPIEGEL. Yes.

Mr. TAVENNER. What was he doing when you saw him?

Mr. SPIEGEL. They were generally social visits.

Mr. TAVENNER. But these were not social visits when he was occupying your premises and using them for his work?

Mr. SPIEGEL. But we weren't present at those times.

Mr. TAVENNER. You mean on none of the occasions when you were there was he actually engaged on any work?

Mr. SPIEGEL. That is correct.

Mr. TAVENNER. Was he alone?

Mr. SPIEGEL. So far as we knew.

Mr. TAVENNER. Did you ever see any other person come to your premises who was either a guest or a customer or an acquaintance of Mr. Zimmerman?

Mr. SPIEGEL. Yes, he brought a friend.

Mr. TAVENNER. Who was the friend?

Mr. SPIEGEL. As I recollect it, the friend was introduced to us as a Mr. Shroeder.

Mr. TAVENNER. Do you recall his first name?

Mr. SPIEGEL. I believe it was Carl.

Mr. TAVENNER. Where was he from?

Mr. SPIEGEL. We didn't know precisely. We presumed some place in Baltimore.

Mr. TAVENNER. What was his business?

Mr. SPIEGEL. We didn't inquire into it. He was introduced to us simply as a friend of Zimmerman's.

Mr. TAVENNER. How frequently did you see him there?

Mr. SPIEGEL. I think we saw him only a very few times.

Mr. VELDE. Did you know what Mr. Shroeder's business was?

Mr. SPIEGEL. No, we did not.

Mr. KEARNEY. Will you describe the build of this Mr. Shroeder, the physical build?

Mr. SPIEGEL. As I remember it, he was a rather short, round fellow, rather pudgy face. I don't think he had a lot of hair. He wasn't dressed terribly well.

Mr. JACKSON. What was the condition of his teeth?

Mr. SPIEGEL. As we remember him, his teeth were not very good.

Mr. WALTER. Have you seen Shroeder since that time?

Mr. SPIEGEL. We were requested to identify an individual as to whether or not he was Shroeder.

Mr. WALTER. Where did that take place?

Mr. SPIEGEL. In New York City.

Mr. WALTER. Did you identify him?

Mr. SPIEGEL. I stated that he looked very similar, as similar as one would look after that lapse of time.

Mr. WALTER. Do you remember what his correct name was, or do you remember his name was not Shroeder?

Mr. SPIEGEL. We were so informed.

Mr. WALTER. What was his correct name?

Mr. SPIEGEL. We were informed that he was Whittaker Chambers.

Mr. TAVENNER. You say this person was referred to as Carl?

Mr. SPIEGEL. That is my recollection. I am not absolutely sure of the name Shroeder.

Mr. TAVENNER. But you are certain of the name Carl?

Mr. SPIEGEL. No, I am not.

Mr. TAVENNER. But to the best of your recollection?

Mr. SPIEGEL. That is right.

Mr. TAVENNER. And to your satisfaction he was called Carl?

Mr. SPIEGEL. To the best of my recollection.

Mr. TAVENNER. Let me show you a photograph and ask you to examine the picture appearing on the left of the photograph and state whether or not he was the person whose name you heard referred to as Carl, and the person who visited in your apartment as a friend of Zimmerman's?

Mr. SPIEGEL (after examining photograph). He looks very much like the person.

Mr. TAVENNER. Here is another photograph, taken from a different angle, of the same individual.

Mr. SPIEGEL (after examining photograph). Yes, there seems to be resemblance.

Mr. TAVENNER. To your best judgment, is that the same person who appeared in your home as a friend of Zimmerman's?

Mr. SPIEGEL. To my best recollection; yes.

Mr. KEARNEY. You say to your best recollection he is the same individual?

Mr. SPIEGEL. Yes.

Mr. TAVENNER. For the purpose of the record I desire to introduce as "Spiegel exhibit No. 1" the first photograph which I handed to the witness, and as "Spiegel exhibit No. 2" the second photograph.

Mr. WALTER. They will be so marked and received.

(The photographs above referred to, marked "Spiegel Exhibit No. 1" and "Spiegel Exhibit No. 2," respectively, are filed herewith.)¹

Mr. TAVENNER. Will you tell us what occurred on the occasions when the person referred to as Carl came to your home?

Mr. SPIEGEL. It was purely a social visit. He accompanied Zimmerman. It was just a matter of dropping in. I can't recall more than possibly two, or at the most three, visits, and that is very hazy.

The initial visit, of which I am certain, of course, was purely a social visit. He dropped in informally and he was introduced to us, and we sat around and chatted for a time, and then he and Zimmerman departed.

Mr. TAVENNER. Did they come back together?

Mr. SPIEGEL. On other occasions?

Mr. TAVENNER. On this occasion. After leaving your apartment together, did they later come back together?

Mr. SPIEGEL. That I wouldn't know.

Mr. TAVENNER. Why wouldn't you know? You mean you were not there?

Mr. SPIEGEL. To begin with, I don't remember precisely the time or occasion of that first visit. I don't know what transpired.

Mr. TAVENNER. Was it during the day or the night?

Mr. SPIEGEL. That he visited us?

Mr. TAVENNER. Yes.

Mr. SPIEGEL. That was in the evening.

Mr. TAVENNER. Approximately what time?

Mr. SPIEGEL. I would say sometime probably between 8 and 10.

Mr. TAVENNER. How long did he remain there?

Mr. JACKSON. Is that on every occasion?

Mr. TAVENNER. I am talking now about the first occasion.

Mr. JACKSON. The first occasion?

Mr. TAVENNER. Yes.

Mr. SPIEGEL. I don't remember precisely. It was not an extensive visit.

Mr. TAVENNER. You said there were possibly four visits?

Mr. SPIEGEL. No; I said three at the most.

¹ Retained in committee files.

Mr. TAVENNER. On the other two occasions did he come there in the daytime?

Mr. SPIEGEL. I can't recall the details of the other occasions at all. I simply say there were more than one because I have a feeling there were.

Mr. TAVENNER. What took place on the other occasions when Carl appeared there?

Mr. SPIEGEL. I am certain that the visits were nothing but of a social nature.

Mr. TAVENNER. How long was he there on each of the occasions?

Mr. SPIEGEL. I have no recollection at all. I presume sight has not been lost of the fact that this occurred in 1936 or 1937, which is quite a long while ago.

Mr. TAVENNER. Do you recall any other friends of Mr. Zimmerman's who came to your home while Mr. Zimmerman used your premises?

Mr. SPIEGEL. No.

Mr. TAVENNER. Did Mr. Zimmerman visit in your home after the termination of this relationship?

Mr. SPIEGEL. It is hard to recall that. As best I remember, we saw him no more after that was terminated.

Mr. TAVENNER. You didn't see him after that. Have you seen him since that time at all?

Mr. SPIEGEL. I don't think I have.

Mr. TAVENNER. Had he visited in your home prior to the time that he first took up this relationship with you?

Mr. SPIEGEL. Oh, yes.

Mr. TAVENNER. Frequently?

Mr. SPIEGEL. I would say moderately so.

Mr. TAVENNER. I wish you would give us all the description you can of Mr. David Zimmerman. You told us of the general work in which he was engaged, I think?

Mr. SPIEGEL. That is right.

Mr. TAVENNER. What was that?

Mr. SPIEGEL. I only knew—I didn't know; I am under the impression now that we knew then that he was a paint chemist.

Mr. TAVENNER. A paint chemist?

Mr. SPIEGEL. That is right.

Mr. TAVENNER. Where was he employed as a paint chemist?

Mr. SPIEGEL. You asked me that question before. I don't know.

Mr. TAVENNER. How did you become acquainted with him?

Mr. SPIEGEL. That I can't tell you, since I don't remember. You see, we lived downtown, in central Baltimore, for quite a period, and we knew lots of people during that time, lots of people dropped in and out of our place, sometimes they brought friends, so the precise conditions under which I met David Zimmerman, I can't tell you. I don't remember.

Mr. TAVENNER. Did you ever attend a meeting with David Zimmerman?

Mr. SPIEGEL. What kind of a meeting?

Mr. TAVENNER. Any kind of a meeting.

Mr. SPIEGEL. I have no recollection of that.

Mr. TAVENNER. Were other people at any time in a group with you and Mr. Zimmerman?

Mr. SPIEGEL. Possibly in social groups.

Mr. TAVENNER. Did that occur frequently?

Mr. SPIEGEL. I was living a normal life. We had friends.

Mr. TAVENNER. I am not asking about friends generally. I am trying to find out about Mr. Zimmerman.

Mr. SPIEGEL. In my scheme of things, Mr. Zimmerman wasn't isolated from anything else, or anyone else, except in this particular transaction.

Mr. TAVENNER. No doubt Mr. Zimmerman met with you and your other friends at times, if you were as intimate as you have indicated you were?

Mr. SPIEGEL. That is right.

Mr. TAVENNER. Who were some of these other persons who met with you and Mr. Zimmerman on social occasions or other occasions?

Mr. SPIEGEL. I don't remember the specific instances when I met with Mr. Zimmerman or the occasions when this might have occurred and who was there and who wasn't. You are asking something that is extremely difficult.

Mr. TAVENNER. I know it is difficult, but if you concentrate I am sure you won't have any trouble telling us who among your friends also knew Mr. Zimmerman. You are bound to know that.

Mr. SPIEGEL. For another matter, since 1936 our mode of living has changed considerably. I would say we have an entirely new and different group of friends.

Mr. TAVENNER. Mr. Chairman, may I suggest that for the moment we go into executive session, and question this witness in executive session regarding this matter?

Mr. WALTER. Yes. The committee will stand in executive session for 10 minutes.

(Thereupon, the subcommittee went into executive session, following which the public hearing was resumed and the witness testified further as follows:)

Mr. TAVENNER. Mr. Spiegel, I do not believe you have given us the street address of your apartment at the time Mr. Zimmerman occupied your apartment?

Mr. SPIEGEL. 112 East Madison.

Mr. TAVENNER. 112 East Madison. Was the apartment known by a name?

Mr. SPIEGEL. No.

Mr. TAVENNER. Where did Mr. David Zimmerman live at that time?

Mr. SPIEGEL. I only have the impression he was living in East Baltimore.

Mr. TAVENNER. If he visited you on occasion prior to the time he shared your apartment, didn't you reciprocate and visit him?

Mr. SPIEGEL. No; we did not. We at no time visited him.

Mr. TAVENNER. You have stated that this was near the time that you went in business for yourself, as I understood you?

Mr. SPIEGEL. Yes, sir.

Mr. TAVENNER. Before you went in business for yourself, how were you employed?

Mr. SPIEGEL. I sold shoes for a period.

Mr. TAVENNER. What was the name of the company that you represented?

Mr. SPIEGEL. I worked in a retail shoe store, I. Miller Co.

Mr. TAVENNER. What was the name of the company?

Mr. SPIEGEL. I. Miller Shoe Co. I also worked at the Hub for a brief period. That is a department store.

Mr. TAVENNER. Where are those stores located?

Mr. SPIEGEL. I. Miller is located on North Charles Street, Baltimore, and the Hub is on Charles Street.

Mr. TAVENNER. Did you work about that time for a concern known as Stylecraft?

Mr. SPIEGEL. I am now working for Stylecraft.

Mr. TAVENNER. Stylecraft division of L. Gordon & Son?

Mr. SPIEGEL. That is right.

Mr. TAVENNER. When did you begin that employment?

Mr. SPIEGEL. In 1941.

Mr. TAVENNER. We have just located an address of a Mr. David Zimmerman as 210 North Calvert Street, Baltimore, Md. Does that refresh your recollection?

Mr. SPIEGEL. No. I have never heard that address in connection with him at all.

Mr. TAVENNER. I think that is a business address and not a residence address.

Mr. SPIEGEL. I don't know the address at all.

Mr. TAVENNER. Will you describe Mr. Zimmerman more fully for us? I don't believe you have attempted to describe his appearance.

Mr. SPIEGEL. He was an individual shorter than I, rather thin, sallow complexion, and I believe he had a full growth of hair, as I recall. What other details would you want?

Mr. TAVENNER. Can you tell us about the color of his hair?

Mr. SPIEGEL. I think it was brown, dark brown.

Mr. TAVENNER. Was he accustomed to wearing glasses?

Mr. SPIEGEL. No.

Mr. TAVENNER. At that time?

Mr. SPIEGEL. No.

Mr. TAVENNER. About how old a man was he at that time?

Mr. SPIEGEL. I never knew his exact age, I don't think. He was older than I. I would only be venturing a guess. I imagine he was somewhere in the thirties—34, 35, or 36; but that is purely a guess.

Mr. TAVENNER. Was he married?

Mr. SPIEGEL. Not that I know of.

Mr. TAVENNER. How can you explain the fact that you never saw him after the termination of this rental relationship?

Mr. SPIEGEL. I can't, except that I heard he was away from the city.

Mr. TAVENNER. How did you hear that?

Mr. SPIEGEL. I don't remember exactly, other than you hear things about people.

Mr. TAVENNER. You must have heard it through some mutual acquaintance.

Mr. SPIEGEL. Possibly.

Mr. TAVENNER. Can you concentrate on that and tell us the source of your information?

Mr. SPIEGEL. No, I can't. I can't remember.

Mr. TAVENNER. If you are uncertain about it and would like us to go into executive session, I will ask the chairman to permit you to do that.

Mr. SPIEGEL. No. You see, the thing that I don't believe you fully appreciate is that, living as we did downtown, we knew many people very casually.

Mr. TAVENNER. But he is the only person who ever shared your apartment for 3 months. Isn't that right?

Mr. SPIEGEL. That is right.

Mr. TAVENNER. How was the relationship terminated? How did it come about that he stopped renting from you?

Mr. SPIEGEL. I think the simplest way would be to say he just evaporated.

Mr. TAVENNER. Was there any mannerism of any kind that he had which impressed itself on your mind?

Mr. SPIEGEL. He was a very slow-talking individual, thoughtful, reflective.

Mr. TAVENNER. Do you know where his home was? Did he tell you that?

Mr. SPIEGEL. No; other than I now have the feeling that it was East Baltimore, but how I acquired that information, I don't know.

Mr. TAVENNER. What was the place of his birth?

Mr. SPIEGEL. That I don't know. I have a recollection of his once mentioning Portsmouth as possibly a place where he had lived.

Mr. TAVENNER. What was that place?

Mr. SPIEGEL. Portsmouth, Va., I believe.

Mr. TAVENNER. Do you recall whether he was a native-born American or not?

Mr. SPIEGEL. I don't know. I never concerned myself with that.

Mr. TAVENNER. Did he speak with an accent?

Mr. SPIEGEL. No.

Mr. TAVENNER. You have told us that during the course of the 3 months, approximately 3 months, that this rental relationship existed, that the box in question had probably been removed from the closet, or from your home?

Mr. SPIEGEL. Yes.

Mr. TAVENNER. Tell us the circumstances of that.

Mr. SPIEGEL. There are no specific circumstances. I can't say with absolute assurance that it was removed. I just simply have a feeling that it wasn't there constantly.

Mr. TAVENNER. You must have some reason for having that feeling.

Mr. SPIEGEL. After that length of time you don't have reasons. You only have impressions.

Mr. TAVENNER. Well, it was based on something, was it not?

Mr. SPIEGEL. No, nothing other than the fact that I have the feeling now it wasn't there constantly.

Mr. JACKSON. May I ask a question there?

Mr. WALTER. Mr. Jackson.

Mr. JACKSON. Where was the box stored in your apartment?

Mr. SPIEGEL. In a closet at the end of the hall near the entrance.

Mr. JACKSON. A coat closet?

Mr. SPIEGEL. Sort of, yes, I would say.

Mr. JACKSON. Was it a closet which you had occasion to use?

Mr. SPIEGEL. No. I think we had an additional closet which we used more frequently than that.

Mr. JACKSON. How often would you say you had occasion to use this particular closet? Once a day; once a week; once a month?

Mr. SPIEGEL. I have no recollection of that. How often does one go to a closet? I can't answer that now. We probably kept our overcoats there. I say that because that would be the logical thing to do.

Mr. JACKSON. Then in the wintertime you would have occasion to go to it several times a day?

Mr. SPIEGEL. No.

Mr. JACKSON. Was there any occasion when you went to that closet and the case or box was not there?

Mr. SPIEGEL. Specifically, I can't say that there was, other than the fact that I am of the impression that it was not there constantly.

Mr. JACKSON. Something creates impressions. You don't just pull impressions out of thin air. There must be some reason why you have the present impression that the box was not always there. It must spring from some knowledge, however vague.

Mr. SPIEGEL. I disagree with you there. I think impressions can occur without your knowing their cause. I cannot tell you now why I feel it wasn't there all the time, other than I simply feel it wasn't. I would not have mentioned that point if you had not specifically asked me.

Mr. JACKSON. I would not have labored the point at all if you had not stated that it was your impression that it was not there all the time.

Mr. SPIEGEL. I think I was asked that question.

Mr. POTTER. Will the gentleman yield?

Mr. JACKSON. Yes.

Mr. POTTER. Was it your impression that the content of this box was something that Mr. Zimmerman was using in line with his work?

Mr. SPIEGEL. You see, at that particular time we attributed very little significance to that particular box, and as a consequence, our impressions are the result of subsequent developments. At that particular time it had no great significance.

Mr. KEARNEY. Mr. Chairman, may I ask a question?

Mr. WALTER. Mr. Kearney.

Mr. KEARNEY. Did Mr. Zimmerman have a key to your apartment?

Mr. SPIEGEL. He did.

Mr. KEARNEY. Did you ever see him take this so-called box out of the closet?

Mr. SPIEGEL. I did not.

Mr. KEARNEY. Do you know whether or not Mr. Zimmerman was an amateur photographer?

Mr. SPIEGEL. I had no reason to believe that he was.

Mr. KEARNEY. Was there a room that Mr. Zimmerman occupied at your home?

Mr. SPIEGEL. No. He had access to the complete apartment. The apartment consisted only of the kitchen, bath, living room, and a small room off the living room.

Mr. KEARNEY. I take it Zimmerman was in your home on occasions when neither you nor your wife was present?

Mr. SPIEGEL. Oh, yes.

Mr. VELDE. Will the gentleman yield?

Mr. KEARNEY. Yes.

Mr. VELDE. Couldn't Mr. Zimmerman have stored his box some other place, for instance, in his own home, with as much convenience as coming to your home?

Mr. SPIEGEL. He probably could have.

Mr. VELDE. Weren't you curious at all as to why he stored this box there?

Mr. SPIEGEL. What I thought then I don't precisely remember, but I imagine what we probably thought was that it contained papers and other material that he might have been working with, writing.

Mr. VELDE. You knew he had another residence at that time?

Mr. SPIEGEL. I presumed as much.

Mr. VELDE. It seems to me it would cause me to be curious to know why a man wanted to rent a room simply to store a box, if he wasn't going to live there. He could do the same thing in his own home.

Mr. KEARNEY. Did you ever know Mr. Zimmerman to write any article?

Mr. SPIEGEL. Specifically; no.

Mr. WALTER. Did you ever know Mr. Zimmerman by any other name?

Mr. SPIEGEL. No.

Mr. WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. Did you ever hear him called David Carpenter?

Mr. SPIEGEL. No; except I have heard that name mentioned subsequently in relation to him. The translation of the name Zimmerman is Carpenter, so I understand.

Mr. TAVENNER. Did he ever receive any mail at your apartment?

Mr. SPIEGEL. No.

Mr. TAVENNER. Did he ever bring anything other than the box to your apartment?

Mr. SPIEGEL. Not that I know of.

Mr. TAVENNER. Do you recall anything to indicate that other persons were using your apartment besides David Zimmerman?

Mr. SPIEGEL. No; other than the fact that he seemed to be very friendly with this so-called Shroeder. That is the only individual we felt he possibly was bringing to the apartment.

Mr. TAVENNER. Did Zimmerman ever introduce you to any other persons, either at your home or at other places?

Mr. SPIEGEL. No.

Mr. TAVENNER. Was any arrangement made for him to do his work—whatever that may have been—while you were to be away from the premises? If he was to use the property and you were living in it, there must have been some working arrangement between you and Mr. Zimmerman.

Mr. SPIEGEL. As I recall now, I think he was to use it mostly during the daytime. We were both away. We left the premises rather early in the morning, and usually didn't return until after dinner; and I think at that time, too, we were probably spending a good deal of time away from home in the evenings.

Mr. TAVENNER. Mr. Zimmerman knew that you and your wife were both employed and that would give him more time during the daytime?

Mr. SPIEGEL. That may have been his reasoning.

Mr. TAVENNER. Were you home Saturdays and Sundays?

Mr. SPIEGEL. We were home certainly on Sunday.

Mr. TAVENNER. Did you ever see Mr. Zimmerman there on Saturday or Sunday?

Mr. SPIEGEL. Not that I remember; no. Saturdays I probably was working. My wife was probably home on Saturdays.

TAVENNER. Do you know whether or not Mr. Zimmerman was a member of the Communist Party?

Mr. SPIEGEL. I don't know.

Mr. TAVENNER. Have you yourself ever been a member of the Communist Party?

Mr. SPIEGEL. I answered that question for you before.

Mr. TAVENNER. I know. I thought you were entitled to answer it in public.

Mr. SPIEGEL. As I answered before, unequivocally "No," I have not been.

Mr. TAVENNER. Will you state for us again the circumstances under which Zimmerman made his arrangement with you for the rental, or for the use, of your apartment, and what reason he assigned?

Mr. SPIEGEL. As I remember it, we had the impression that he was doing a considerable amount of writing at that time, and he indicated to us——

Mr. TAVENNER. You don't know of your own knowledge that he was engaged in any writing, do you? You never saw anything he wrote; you never heard of anything he published; and you know his job was that of a paint chemist?

Mr. SPIEGEL. But it is possible that people engaged in other work still write.

Mr. TAVENNER. But if a person is a writer, won't someone eventually see what he has written?

Mr. SPIEGEL. Forgive me for saying there are more still-born writers than those who see the light of day.

Mr. TAVENNER. But you have no knowledge of ever having seen anything he wrote? Just begin at the beginning of this thing and tell us all the circumstances under which he suggested this arrangement, if the suggestion came from him, and I assume it did, from what you have told us.

Mr. SPIEGEL. I have no clear recollection of the precise instance or time or occasion when the suggestion came from him. I know that the thing finally evolved that he would share the rent of the apartment with us for the privilege of using it on occasion.

Mr. TAVENNER. Are you acquainted with Philip Reno?

Mr. SPIEGEL. I don't recognize the name at all.

Mr. TAVENNER. Were you ever introduced to Alger Hiss?

Mr. SPIEGEL. No.

Mr. TAVENNER. Did you know Alger Hiss?

Mr. SPIEGEL. No; I did not.

Mr. TAVENNER. Are you acquainted with Thelma Gerende?

Mr. SPIEGEL. Yes, I know Thelma Gerende.

Mr. TAVENNER. Do you have any knowledge of Communist Party activities on her part, or membership on her part in the Communist Party?

Mr. SPIEGEL. None at all.

Mr. TAVENNER. I will ask you to examine the photograph I am handing you and state whether or not you have ever met or talked with that individual. Do you recognize him as a person that you have known?

Mr. SPIEGEL (after examining photograph). No; I do not.

Mr. TAVENNER. Was Thelma Gerende ever present in your home when Zimmerman was there?

Mr. SPIEGEL. Not that I can recall; no.

Mr. TAVENNER. You are uncertain?

Mr. SPIEGEL. I am fairly positive. I leave a little space there simply because of mistakes in recollection, but I am quite certain.

Mr. JACKSON. I think counsel failed to identify the photograph that he handed to the witness.

Mr. TAVENNER. Will you look at the photograph again and state whose name appears at the bottom of it?

Mr. SPIEGEL. Alger Hiss.

Mr. TAVENNER. You have never met Alger Hiss?

Mr. SPIEGEL. I don't think I have.

Mr. TAVENNER. You don't think you have?

Mr. SPIEGEL. I don't recognize any individual I know from this picture, and I feel quite certain I never have met this individual.

Mr. KEARNEY. Did the individual known to you as Carl Shroeder ever introduce you to anybody?

Mr. SPIEGEL. No. We had never seen him on other than the one or two occasions at our apartment.

Mr. KEARNEY. But you did identify his picture here?

Mr. SPIEGEL. Yes. I also identified a person who looked like Shroeder subsequently.

Mr. KEARNEY. And that person was Whittaker Chambers?

Mr. SPIEGEL. So it developed.

Mr. KEARNEY. You knew him to be Carl Shroeder?

Mr. SPIEGEL. Yes.

Mr. TAVENNER. Thank you very much for your frankness.

I have no further questions, Mr. Chairman.

Mr. WALTER. Mr. Frazier?

Mr. FRAZIER. During the time Mr. Zimmerman occupied the apartment with you, did you ever find any evidence of any work he did there?

Mr. SPIEGEL. No.

Mr. FRAZIER. Was your living room equipped with a large table on which one could write?

Mr. SPIEGEL. Yes; we had a desk.

Mr. FRAZIER. Did he have a typewriter?

Mr. SPIEGEL. Not that I know of.

Mr. FRAZIER. Did you ever find any papers lying around such as a man would leave lying around if he was writing?

Mr. SPIEGEL. Possibly we did. It is hard to remember.

Mr. FRAZIER. You never did find any evidence of any work he was doing in your apartment?

Mr. SPIEGEL. No, sir.

Mr. FRAZIER. That is all.

Mr. WALTER. Mr. Velde.

Mr. VELDE. You mentioned that you had never been a member of the Communist Party. Have you ever attended Communist Party meetings?

Mr. SPIEGEL. No.

Mr. VELDE. That is all.

Mr. WALTER. Mr. Kearney.

Mr. KEARNEY. No questions.

Mr. WALTER. Mr. Potter.

Mr. POTTER. What interests did you have in common with Mr. Zimmerman in order to have developed the relationship you had with him?

Mr. SPIEGEL. We found him to be a very well informed person, extremely well read. I think it was a common interest in all the kind of things that alert, intelligent people—forgive me for throwing that adjective in there, but I mean that alert people would be interested in. I found his opinions on many things of considerable interest. He was just a person that I felt at home with, very comfortable with, and we simply formed a rather pleasant friendship.

Mr. POTTER. Did your conversations with Mr. Zimmerman revolve around political subjects?

Mr. SPIEGEL. We probably had some political discussions, yes. He took a very liberal point of view, but that, too, was stimulating.

Mr. POTTER. That is all.

Mr. WALTER. Mr. Jackson.

Mr. JACKSON. I believe you have stated before the size of the apartment. Will you state it again?

Mr. SPIEGEL. It consisted of a living room, kitchen, very narrow entranceway, and a small room adjoining the living room.

Mr. JACKSON. Did you give testimony during the Hiss trial?

Mr. SPIEGEL. No.

Mr. JACKSON. It is difficult to do photographic work without leaving traces. Were there ever any traces left in the washstand, in the bathtub, or in the kitchen sink which might have indicated any stains, or anything that brought comments by your wife?

Mr. SPIEGEL. No; and my wife is rather meticulous.

Mr. JACKSON. Did Zimmerman own a typewriter? Did he do this alleged writing on a typewriter? Did he leave the typewriter in your apartment?

Mr. SPIEGEL. I don't specifically remember a typewriter; no.

Mr. JACKSON. Do you own a typewriter?

Mr. SPIEGEL. Yes; I own a Royal portable.

Mr. JACKSON. Was there any indication Mr. Zimmerman ever used your typewriter?

Mr. SPIEGEL. I don't remember if there was or not.

Mr. JACKSON. He might have used your typewriter during the period of time he was there?

Mr. SPIEGEL. Yes.

Mr. JACKSON. During what part of the week, specifically, during the week or week ends, was he more apt to be at the apartment?

Mr. SPIEGEL. Inasmuch as we were occupying the apartment during week ends, I would say probably during the week.

Mr. JACKSON. Did you have a telephone in the apartment?

Mr. SPIEGEL. I think we did.

Mr. JACKSON. What arrangements were made for Mr. Zimmerman to pay long-distance calls if he made any?

Mr. SPIEGEL. He made none. There was no provision for that, and I don't remember that it ever came up.

Mr. JACKSON. Did you have a telephone number for Mr. Zimmerman where he could be reached in Baltimore?

Mr. SPIEGEL. I did not.

Mr. JACKSON. You never called Baltimore from your apartment for Mr. Zimmerman?

Mr. SPIEGEL. No.

Mr. JACKSON. You never placed a call for Mr. Zimmerman in Baltimore?

Mr. SPIEGEL. We have never at any time called Mr. Zimmerman.

Mr. JACKSON. What was his manner of dress? Was he well dressed?

Mr. SPIEGEL. Neatly dressed; very conservative.

Mr. JACKSON. Were his shoes expensive? I ask that because you are one well qualified to judge, having sold shoes.

Mr. SPIEGEL. I don't remember his shoes particularly. I remember a blue suit he was wearing. Do you want to know why I remember that? I remember there was dandruff on his collar and it showed on his blue suit. That is the way one gains impressions.

Mr. JACKSON. You say he had a full head of hair?

Mr. SPIEGEL. Yes.

Mr. JACKSON. He is luckier than some of us.

Mr. KEARNEY. I will let that stand in the record, Mr. Chairman.

Mr. JACKSON. Have you ever met Nathan Gregory Silvermaster?

Mr. SPIEGEL. I don't remember that name.

Mr. JACKSON. Mary Watkins Price?

Mr. SPIEGEL. I don't remember that name.

Mr. JACKSON. Harry Dexter White?

Mr. SPIEGEL. No.

Mr. JACKSON. You have said you never met or had contact with Alger Hiss?

Mr. SPIEGEL. No.

Mr. JACKSON. Lauchlin Currie?

Mr. SPIEGEL. No.

Mr. JACKSON. John Abt?

Mr. SPIEGEL. No.

Mr. JACKSON. Mrs. Gilda Burke?

Mr. SPIEGEL. No.

Mr. JACKSON. Duncan Lee?

Mr. SPIEGEL. No.

Mr. JACKSON. Victor Perlo?

Mr. SPIEGEL. No.

Mr. JACKSON. Did you ever meet Henry Julian Wadleigh?

Mr. SPIEGEL. No.

Mr. JACKSON. William Ward Pigman?

Mr. SPIEGEL. No.

Mr. JACKSON. Or Vincent Reno?

Mr. SPIEGEL. No.

Mr. JACKSON. Both you and your wife were working during the period Zimmerman kept this box in your apartment?

Mr. SPIEGEL. True.

Mr. JACKSON. What arrangements, if any, were made for cleaning the apartment? Did you have a cleaning woman come in from time to time?

Mr. SPIEGEL. We had one who came in occasionally.

Mr. JACKSON. You did have one occasionally?

Mr. SPIEGEL. That has been our practice. The probabilities are we did.

Mr. JACKSON. How long did you occupy that apartment?

Mr. SPIEGEL. For approximately 2 years, I believe.

Mr. JACKSON. Did you or did you not have a cleaning woman or maid come in from time to time during that period?

Mr. SPIEGEL. I remember specifically there was one period during which we had a maid working for us.

Mr. JACKSON. What was the maid's name?

Mr. SPIEGEL. I couldn't possibly tell you.

Mr. JACKSON. Did she live in Washington?

Mr. SPIEGEL. No; in Baltimore.

Mr. JACKSON. She came over from Baltimore?

Mr. SPIEGEL. This was in Baltimore.

Mr. JACKSON. You were living in Baltimore?

Mr. SPIEGEL. Yes.

Mr. JACKSON. But you don't recall her name?

Mr. SPIEGEL. No. I think her first name was Mary.

Mr. JACKSON. Do you know where she lived?

Mr. SPIEGEL. No.

Mr. JACKSON. How did you communicate with her when you wanted her to come to the apartment?

Mr. SPIEGEL. I want to qualify this. I don't remember that this Mary was in our employ during the time we had this arrangement with Zimmerman. I am pretty certain that at one time we had a maid whose first name was Mary.

What was your question?

Mr. JACKSON. How did you communicate with her when you wanted her?

Mr. SPIEGEL. I believe we had her on a regular basis. I believe she came in the afternoon, prepared dinner, and left after the dishes were done.

(Representative Charles E. Potter left the hearing room.)

Mr. JACKSON. No further questions.

Mr. WALTER. Mr. Velde?

Mr. VELDE. Is Mrs. Spiegel in Baltimore at the present time?

Mr. SPIEGEL. Yes.

Mr. VELDE. Living with you?

Mr. SPIEGEL. Yes.

Mr. VELDE. That is all.

Mr. WALTER. Anything further?

Mr. TAVENNER. I would like to ask one other question.

Mr. WALTER. Go ahead.

Mr. TAVENNER. Are you acquainted with William Ludwig Ullmann?

Mr. SPIEGEL. William Ludwig Ullmann?

Mr. TAVENNER. Yes, U-l-l-m-a-n-n.

Mr. SPIEGEL. I don't recognize the name.

Mr. TAVENNER. During the time you knew Zimmerman, do you know whether he took trips to any particular place? Did he tell you about any trips he had taken or planned to take?

Mr. SPIEGEL. No.

Mr. TAVENNER. That is all.

Mr. WALTER. The witness may be excused.

(Witness excused.)

Mr. TAVENNER. Mr. Max Weinstock.

Mr. WALTER. Mr. Weinstock, will you rise and hold up your right hand. You swear the testimony you are about to give shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WEINSTOCK. I do.

**TESTIMONY OF MAX WEINSTOCK, ACCOMPANIED BY HIS COUNSEL,
DAVID REIN**

Mr. TAVENNER. Mr. Weinstock, will you please give us your full name?

Mr. WEINSTOCK. Max Weinstock.

Mr. TAVENNER. Are you represented by counsel?

Mr. WEINSTOCK. I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. REIN. David Rein, 711 Fourteenth Street N. W., Washington, D. C.

Mr. TAVENNER. Mr. Weinstock, when and where were you born?

Mr. WEINSTOCK. In Poland, in 1910.

Mr. TAVENNER. When did you come to this country?

Mr. WEINSTOCK. In 1929.

Mr. TAVENNER. Are you an American citizen?

Mr. WEINSTOCK. I am.

Mr. TAVENNER. When were you naturalized and where?

Mr. WEINSTOCK. 1937 in Baltimore.

Mr. TAVENNER. Under what name were you naturalized? Under your present name?

Mr. WEINSTOCK. Weinstock has always been my name.

Mr. TAVENNER. Max Weinstock?

Mr. WEINSTOCK. Mordecai Weinstock. Max is on my papers; yes.

Mr. TAVENNER. But prior to your naturalization your name was what?

Mr. WEINSTOCK. Mordecai was the name on my birth certificate. My people always called me Max.

Mr. TAVENNER. Where do you now reside?

Mr. WEINSTOCK. 4015 Dorchester Road, Baltimore.

Mr. TAVENNER. How long have you lived in Baltimore?

Mr. WEINSTOCK. Since 1929.

Mr. TAVENNER. How are you presently employed?

Mr. WEINSTOCK. As business agent of the local.

Mr. TAVENNER. What union is that?

Mr. WEINSTOCK. Local 75, United Furniture Workers.

Mr. TAVENNER. Local 75 of the United Furniture Workers of America?

Mr. WEINSTOCK. Yes.

Mr. TAVENNER. Have you held any other position besides that of business agent in local 75?

Mr. WEINSTOCK. Yes. At one time I was secretary of the local.

Mr. WALTER. Will you raise your voice, please?

Mr. WEINSTOCK. Secretary at one time and chairman of the local at one time.

Mr. TAVENNER. You were president of your local, weren't you?

Mr. WEINSTOCK. At one time; yes.

Mr. TAVENNER. When was that?

Mr. WEINSTOCK. I imagine in 1948. I don't remember now.

Mr. TAVENNER. Were you required in 1949 to sign a non-Communist affidavit under the Taft-Hartley law?

Mr. WEINSTOCK (after conferring with his counsel). No; I don't think I was required.

Mr. TAVENNER. How is that?

Mr. WEINSTOCK. I don't think I was required; no.

Mr. TAVENNER. Weren't you president of the local in 1949?

Mr. WEINSTOCK. I was business agent.

Mr. TAVENNER. Business agent at that time?

Mr. WEINSTOCK. In 1949 I was actually working for the United Furniture Workers as an organizer.

Mr. TAVENNER. Were you at any time directed by your union to sign a non-Communist affidavit?

Mr. WEINSTOCK. No; I was never directed.

Mr. TAVENNER. Were you requested?

Mr. WEINSTOCK. I was not requested as I recall.

Mr. JACKSON. You were requested?

Mr. WEINSTOCK. I was not.

Mr. TAVENNER. Were you told it was necessary that you sign the affidavit?

Mr. WEINSTOCK (after conferring with his counsel). I don't know if I was told or not. I don't think so.

Mr. TAVENNER. Did you resign as president of your local?

Mr. WEINSTOCK. I think I resigned prior to that because I was working too hard. I was an organizer and was in charge of a number of locals.

Mr. TAVENNER. When did you resign as president?

Mr. WEINSTOCK. I don't recollect whether it was 1948 or 1949.

Mr. TAVENNER. Did you resign because of the requirement that you sign a non-Communist affidavit?

Mr. WEINSTOCK (after conferring with his counsel). I don't think I resigned for that reason.

Mr. TAVENNER. You are not certain about whether you resigned for that reason or not?

Mr. WEINSTOCK. No. I am certain I had a lot of work to do, and being chairman of the local required me to be there more often, and that was one of the reasons why I resigned.

Mr. TAVENNER. And wasn't another reason why you resigned that you were required to sign a non-Communist affidavit, and you didn't want to sign it?

Mr. WEINSTOCK. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. WALTER. Will you raise your voice, please?

Mr. WEINSTOCK. I said I refuse to answer that question on the ground it might tend to incriminate me.

Mr. TAVENNER. Were you a member of the Communist Party at the time you resigned as president of local 75?

Mr. WEINSTOCK. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. WEINSTOCK. I refuse to answer that question also on the ground it might tend to incriminate me.

Mr. TAVENNER. Are you acquainted with Sam Fox?

Mr. WEINSTOCK. I am.

Mr. TAVENNER. Was he at one time an international organizer of your union, United Furniture Workers?

Mr. WEINSTOCK. I think he was.

Mr. TAVENNER. Was he known to you to be a member of the Communist Party?

Mr. WEINSTOCK. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. TAVENNER. That is all I desire to ask the witness, Mr. Chairman.

Mr. WALTER. Any questions, Mr. Frazier.

Mr. FRAZIER. Where were you born? I didn't understand you.

Mr. WEINSTOCK. In Poland.

Mr. FRAZIER. And you were naturalized in 1927?

Mr. WEINSTOCK. 1937.

Mr. FRAZIER. That is all.

Mr. WALTER. Mr. Velde.

Mr. VELDE. What are you doing at the present time?

Mr. WEINSTOCK. I am business agent employed by local 75.

Mr. VELDE. That is in Baltimore?

Mr. WEINSTOCK. Baltimore.

Mr. VELDE. That is all.

Mr. WALTER. Mr. Kearney.

Mr. KEARNEY. No questions.

Mr. WALTER. Mr. Jackson.

Mr. JACKSON. When you were naturalized, did you sign a statement or an affidavit to the effect you were not a member of any group or organization that advocated the use of force or violence in the overthrow of the Government?

Mr. WEINSTOCK. I don't remember the statement exactly, but it was like that.

Mr. JACKSON. To that effect?

Mr. WEINSTOCK. Yes.

Mr. JACKSON. Did you sign it?

Mr. WEINSTOCK. I certainly did.

Mr. JACKSON. Are you a member of any organization that advocates the overthrow of the Government by the use of force and violence?

Mr. WEINSTOCK. I decline to answer that question on the ground it might tend to incriminate me.

Mr. JACKSON. But you signed such an affidavit when you were naturalized?

Mr. WEINSTOCK. Sincerely and honestly.

Mr. JACKSON. Were you a member of such an organization at the time you signed such an affidavit?

Mr. WEINSTOCK. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. JACKSON. Would you sign a non-Communist affidavit today as a condition of employment?

Mr. WEINSTOCK. I don't know what I might do.

Mr. JACKSON. If necessary to obtain employment, would you or would you not sign a non-Communist affidavit?

Mr. WEINSTOCK. I can't think of what I might do.

Mr. JACKSON. Did you serve in the last war?

Mr. WEINSTOCK. I did not.

Mr. JACKSON. Did you register for the draft?

Mr. WEINSTOCK. I did.

Mr. JACKSON. What was your classification?

Mr. WEINSTOCK. 3-A, I think. I don't remember exactly. I had two children. They used to send me a different card every now and then.

Mr. JACKSON. Would you bear arms for the United States at the present time in any war which might conceivably take place?

Mr. WEINSTOCK. I certainly would.

Mr. JACKSON. Would you, as a condition to being inducted, sign an affidavit that you were not a member of the Communist Party?

Mr. WEINSTOCK. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. JACKSON. I have no further questions.

Mr. WALTER. Any further questions, Mr. Tavenner?

Mr. TAVENNER. No, sir.

Mr. WALTER. The witness will be excused.

(Witness excused.)

(Testimony of the next witness, Sam Fox, is printed in another volume under same title, pt. 1, with subtitle, "Based on Testimony of Mary Stalcup Markward.")

AFTERNOON SESSION

The subcommittee of the Committee on Un-American Activities continued the hearing at 3 p. m., Representatives Francis E. Walter, James B. Frazier, Jr., Bernard W. Kearney being present at beginning of witness' testimony, and Representative Clyde Doyle, whose appearance is noted.

Mr. WALTER. Will you call the next witness, Mr. Tavenner?

Mr. TAVENNER. Mr. J. L. Ginsberg.

Mr. WALTER. Mr. Ginsberg, will you hold up your right hand, please. Do you swear the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GINSBERG. I do.

TESTIMONY OF LOUIS GINSBERG, ACCOMPANIED BY HIS COUNSEL, EMANUEL H. BLOCH

Mr. TAVENNER. Will you state your full name, please?

Mr. GINSBURG. Louis Ginsberg.

Mr. TAVENNER. "J" is not an initial or part of your name?

Mr. GINSBERG. "J" is a nickname. My official name is Louis Ginsberg.

Mr. TAVENNER. Are you represented by counsel?

Mr. GINSBERG. I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. BLOCH. Emanuel H. Bloch, 299 Broadway, New York City.

Mr. TAVENNER. Mr. Ginsberg, a subpoena duces tecum was served upon you to produce all ledgers and records of membership of The Bookshop Association. Do you have the records?

Mr. GINSBERG. The Bookshop Association of 702 North Howard Street was closed in 1943. The business closed in 1943, and the asso-

ciation continued as an association for probably three more years through box 85, Walbrook Station. I don't have the records. They were thrown away. They were thrown away in the trash. What I have here, by advice of my counsel to get all information possible, is a photostatic copy of the bank account——

Mr. TAVENNER. Splendid.

Mr. GINSBERG. And photostatic copy of the incorporation papers, and any other information we could get [handing documents to Mr. Tavenner].

Mr. TAVENNER. Have you any other records or data pertaining to The Bookshop Association in addition to those that you have produced?

Mr. GINSBERG. That is all.

Mr. TAVENNER. Did you state it transacted its business through a post office box for a period of time?

Mr. GINSBERG. The Bookshop Association of 702 North Howard Street closed in the spring of 1943 as a business.

Mr. TAVENNER. But what did you add to that about continuance for 3 years?

Mr. GINSBERG. We continued the association through box 85, Walbrook Station.

Mr. TAVENNER. By that you mean post office box?

Mr. GINSBERG. That is right.

Mr. TAVENNER. Up until what time?

Mr. GINSBERG. Up until 1946. Actually the box continued, I think, until 1947.

Mr. TAVENNER. Information in the possession of the committee is that it was continued until January 3, 1948, at which time the box was changed.

Mr. GINSBERG. January 3, 1948?

Mr. TAVENNER. Yes.

Mr. GINSBERG. That is possibly true. I thought it was December 1947. That is close enough. The box was given up at that time.

Mr. TAVENNER. To what box was the address changed?

Mr. GINSBERG. There was no change. The organization was defunct. It was defunct probably a year before that, or even longer. The last public affair the bookshop had was, I think, in February 1946.

Mr. TAVENNER. What was your address at that time?

Mr. GINSBERG. 2803 Allendale Road.

Mr. TAVENNER. As a matter of fact, do you not recall that at the time you speak of, the latter part of December 1947 or January 3, 1948, you put in a change of address order with the post office and directed that all the mail received after that, addressed to lock box 6985, Walbrook Station, be transferred for delivery to 2803 Allendale Road, which was your personal address?

Mr. GINSBERG. Well, the only purpose of that, the organization was defunct, and if there was any mail or claims or bills due, I wanted to know about it; but I told the mail man after that that the organization was defunct and I didn't want mail coming to me. The only thing coming would be advertisements.

Mr. TAVENNER. But actually you gave directions to the post office to send it to your own address, which was 2803 Allendale road?

Mr. GINSBERG. That is right.

Mr. TAVENNER. And you never countermanded that?

Mr. GINSBERG (after conferring with his counsel). No, I never gave official notice.

Mr. TAVENNER. Have you received any mail directed to this organization since the address was changed to that of your own?

Mr. GINSBERG. Once in a while some advertising mail comes, and I continue to tell the mail man to tell them to discontinue it. They have a dead-letter office, and when the box was first given up the gentleman at the post office asked me if I wanted to call the box a dead-letter box, meaning all the mail would be thrown away. At that time I said "No," because I thought perhaps some mail would come through that may be of interest, but after 6 months' time it could have been dead, because everything that came was advertising mail that I threw away.

Mr. TAVENNER. What official position did you hold with The Bookshop Association?

Mr. GINSBERG. Treasurer.

Mr. TAVENNER. When were you elected treasurer?

Mr. GINSBERG. 1943. The official bank records here show I signed checks officially on April 6, 1943.

Mr. TAVENNER. How long had you been associated with the bookshop prior to your election as treasurer?

Mr. GINSBERG. Several years.

Mr. TAVENNER. Mr. Chairman, will you excuse me a moment until I look at the documents that have been presented?

Mr. WALTER. Yes.

(Brief intermission.)

Mr. TAVENNER. Mr. Ginsberg, at this time I would like to ask you a few general questions before asking you more about the bookshop.

In what business are you presently engaged?

Mr. GINSBERG. In the food business.

Mr. TAVENNER. Where? In Baltimore?

Mr. GINSBERG. Yes.

Mr. TAVENNER. How long have you lived in Baltimore?

Mr. GINSBERG. Since about 1913.

Mr. TAVENNER. What has been your record of employment in Baltimore? How have you been employed since you have been living in Baltimore?

Mr. GINSBERG. As a salesman for the past 30 years, or 32 years.

Mr. TAVENNER. By the same company?

Mr. GINSBERG. No; 21 years by my present employer.

Mr. TAVENNER. Who is your present employer?

Mr. GINSBERG. Louis Saks & Sons.

Mr. TAVENNER. Will you tell the committee all that you know regarding the formation of the corporation known as The Bookshop Association?

Mr. GINSBERG. I can't tell you anything about the formation of the corporation, because I wasn't in on the formation. I joined later on. The incorporation papers will tell you that.

Mr. TAVENNER. The incorporation papers give the names of the incorporators, of course, but I wondered if you had any other information relating to the formation of the corporation?

Mr. GINSBERG. I don't recall any other information that I had.

Mr. TAVENNER. What was its general purpose?

Mr. GINSBERG. Well, you can read that from the charter, or I can read it to you.

Mr. WALTER. The articles of incorporation?

Mr. GINSBERG. Yes.

Mr. BLOCH. May the record show that the witness did hand over to counsel a photostatic copy of the articles of incorporation of this particular organization that is the subject of inquiry.

Mr. TAVENNER. And I would like the record to show that certain bank records were also turned over, and I desire both of them filed for the purposes of further examination.

Mr. BLOCH. May I ask you a question off the record?

Mr. TAVENNER. Yes.

(Discussion off the record.)

Mr. TAVENNER. What was the membership of The Bookshop Association during the period when you became treasurer?

Mr. GINSBERG. Well, the membership is a relative thing. It depends what you mean by "membership." The membership in terms of paid-up members—the dues to the bookshop was \$1 a year, and for that amount the members could buy books at a discount—I would say was around 200 or 220. I don't know exactly.

Mr. TAVENNER. What service was given the members besides that of being permitted to purchase books at a discount?

Mr. GINSBERG. They had a cultural program and carried on functions of various kinds. They had what was called the Gingham Room where there was entertainment by members. They had concerts, musicals, all types of cultural activities.

Mr. TAVENNER. How were these—

Mr. BLOCH. I don't think he has completed. I imagine you want a comprehensive description of the activities.

Mr. TAVENNER. Go ahead.

Mr. GINSBERG. We had a cabaret affair with Earl Robinson.

We had a song and dance program with Lili Mann, deMarchant, and Laura Duncan.

We had as a speaker Louis Adamic, who spoke on the coming invasion of Europe.

We had Vladimir Kazekevitch, who spoke on the American-Russian relations, past and present.

I think we sponsored a series of three concerts jointly with the Baltimore Museum of Art in 1944, with Ray Lev, the Jefferson String Quartet, and Richard Dyer Bennett.

Some of the activity of the bookshop in 1944-45 was in cooperation with the Baltimore Symphony Orchestra, in encouraging the people of Baltimore to attend the Sunday afternoon concerts.

We had Rockwell Kent speak before the organization. And I think the last thing we had was a jazz concert.

Mr. KEARNEY. Is that Rockwell Kent the artist?

Mr. GINSBERG. Yes.

Mr. TAVENNER. Did Mrs. Paul Robeson appear before the organization?

Mr. GINSBERG. Possibly. There were a lot of prominent people who spoke there before my time. I am not absolutely sure about her. Some I do know.

Mr. KEARNEY. Did Paul Robeson speak before your group?

Mr. GINSBERG. Not to my knowledge.

Mr. KEARNEY. Mrs. Paul Robeson?

Mr. GINSBERG. Not to my knowledge.

Mr. TAVENNER. How were these various types of entertainment chosen or selected?

Mr. GINSBERG. The program committee would choose the various types of entertainment at board meetings.

Mr. TAVENNER. Who were on the program committee? Do your records show?

Mr. GINSBERG. I have a memorandum. Dr. Nickerson was on the program committee. You have a copy of the board.

Mr. TAVENNER. Is that among the papers you have submitted?

Mr. GINSBERG. Yes.

Mr. TAVENNER. If it is among the papers you submitted, I do not desire you to answer it over again.

Dr. Vladimir D. Kazakevitch, whom you mentioned a while ago, spoke on the American-Russian relations, past and present. That occurred in what year?

Mr. GINSBERG. 1944.

Mr. TAVENNER. 1944?

Mr. GINSBERG. Yes.

Mr. TAVENNER. He was a noted economist, teacher, and lecturer. That is correct, isn't it?

Mr. GINSBERG. That is correct.

Mr. TAVENNER. Do you know how his services were acquired?

Mr. GINSBERG. I presume he was written to or contacted.

Mr. TAVENNER. The committee has information that this organization, the Bookshop Association, was used as a front for the Communist Party in promoting its principles and its purposes. Can you enlighten the committee on that?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. You are unwilling to tell the committee to what extent, if any, the selection of the speakers and the services rendered were part of the plan to operate the organization as a Communist front?

Mr. GINSBERG. I refuse to answer that question on the grounds that it may tend to incriminate me.

(Representative Clyde Doyle entered hearing room.)

Mr. TAVENNER. I notice that the certificate of incorporation, signed August 12, 1940, was signed by Martha Anne Chapman.

Do you know whether or not Martha Anne Chapman was a member of the Communist Party?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. I notice that among the persons who were officers on January 1, 1944, was Mabel Chapman, vice president.

Do you know whether or not Mabel Chapman was a member of the Communist Party?

Mr. GINSBERG. I respectfully refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. I notice that the certificate of incorporation has been acknowledged before Florence K. Schwartz, a notary public. Do you know whether or not Florence K. Schwartz was a member of the Bookshop Association of Baltimore?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Do you know whether or not she was a member of the Communist Party?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Did you understand my first question, as to whether or not she was a member of the Bookshop Association?

Mr. GINSBERG. That is right.

Mr. WALTER. You were a member of the Bookshop, were you not?

Mr. GINSBERG. I was treasurer of the Bookshop.

Mr. WALTER. You were treasurer?

Mr. GINSBERG. That is correct.

Mr. WALTER. And now you decline to answer the question of whether or not this woman was a member of the organization with which you admit you were connected, on the ground your answer may tend to incriminate you?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Do you know whether or not Florence K. Schwartz was a member of the National Maritime Union, or employed by that union?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Are you acquainted with her husband, Isidore Schwartz?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. GINSBERG. I respectfully refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Are you now a member of the party?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. No further questions, Mr. Chairman, except I would like the privilege of recalling the witness if I find it necessary.

Mr. WALTER. Mr. Doyle?

Mr. DOYLE. Mr. Ginsberg, you just stated that you were the treasurer of this Bookshop Association of Baltimore. In what way were the funds handled? What were your duties as treasurer?

Mr. GINSBERG. To receive the funds, to deposit them, and to disburse them.

Mr. DOYLE. Disburse them to whom?

Mr. GINSBERG. To the creditors.

Mr. DOYLE. Was it an association where you sold books?

Mr. GINSBERG. We sold books. We didn't sell enough books. That is the reason we went out of business.

Mr. DOYLE. Was it a Nation-wide distributor of books?

Mr. GINSBERG. No; it was a local shop where people would join for \$1 a year and take advantage of the cultural program at reduced prices, or get books at 20 percent discount.

Mr. DOYLE. Something like Book Lovers' Library?

Mr. GINSBERG. I am not familiar with that.

Mr. DOYLE. The members enjoyed the benefit of a discount, you say?

Mr. GINSBERG. Yes.

Mr. DOYLE. What books were you able to feature that way?

Mr. GINSBERG. I was in this thing as a businessman.

Mr. DOYLE. I realize that, and apparently an able businessman.

Mr. GINSBERG. Not according to the financial record. The thing just couldn't pay. When I was called in in 1943, that was very obvious.

Mr. DOYLE. What were some of the books there that you did handle on that basis?

Mr. GINSBERG. I couldn't tell you the specific books. I can tell you the publishers. We dealt with Random House, E. P. Dutton, Harper's, Modern Age. This was in 1943. The Bookshop Association closed in the spring of 1943. It must have been May or June. I was authorized to start signing checks in April. There were no books. They were sold out in auctions. The only books we sold after that were by order.

Mr. DOYLE. You stated you were treasurer. What sort of an association was it? Was it a Maryland corporation, or was it a voluntary association, or what?

Mr. GINSBERG. A Maryland corporation. We have the corporation papers here.

Mr. DOYLE. I am sorry. That is all.

Mr. TAVENNER. May I ask another question at that point?

Mr. WALTER. Mr. Tavenner.

Mr. TAVENNER. Mr. Ginsberg, how many persons were employed to wait on the trade and customers?

Mr. GINSBERG. One, as long as they could afford it.

Mr. TAVENNER. How much was that person paid?

Mr. GINSBERG. \$25 a week.

Mr. TAVENNER. Who was the person?

Mr. GINSBERG. The one that I remember was Ruth Pollord.

Mr. TAVENNER. Who else besides Ruth Pollord was employed in that capacity?

Mr. GINSBERG. Mildred Linsley.

Mr. TAVENNER. Are there any others whose names you can recall?

Mr. GINSBERG. The last one was Rose Spinell, but she was not employed at \$25 a week. We were closed then. We owed a lot of bills. She was employed at \$10 a week. In that spring we closed for two reasons: The Government took over the place of business and we had to try to get another place of business or fold up. We decided to continue and try to pay our bills.

Mr. TAVENNER. I think I should ask you, in view of your testimony and the whole subject we are investigating here, as a matter of fairness to the persons whose names you have mentioned as being employed by the Bookshop Association, as to whether or not each of them was a member of the Communist Party.

I will ask you first in regard to Mildred Linsley. Was Mildred Linsley, one of the incorporators and one of the employees you mentioned, a member of the Communist Party?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. The spelling of that name is L-i-n-s-l-e-y?

Mr. GINSBERG. You have it there.

Mr. TAVENNER. Is that the person you are referring to?

Mr. GINSBERG. That is the person. Whether the spelling is correct, I don't know.

Mr. TAVENNER. The second person you mentioned who was employed in the sale of books was Ruth Pollard. Is she a member of the Communist Party or not?

Mr. GINSBERG. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. WALTER. What is that name?

Mr. TAVENNER. Pollard. Is that spelled P-o-l-l-a-r-d?

Mr. GINSBERG. P-o-l-l-o-r-d.

Mr. TAVENNER. Who was the third person?

Mr. GINSBERG. Rose Spinell.

Mr. TAVENNER. Will you spell the last name?

Mr. GINSBERG. I will try. S-p-i-n-e-l-l.

Mr. TAVENNER. Was she a member of the Communist Party to your knowledge?

Mr. GINSBERG. I respectfully refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. You have described to us considerable activities of The Bookshop Association in the way of entertainment and lectures and various other gatherings. How were these things financed? When you had a lecturer from New York to come here, how was that financed?

Mr. GINSBERG. We would get the lecturer down for a particular figure. We would sell tickets, hire a hall, and try to meet expenses or make money. The financing would be through the income collected from the people who would attend.

Mr. TAVENNER. You mean the various benefits you gave helped pay for the entertainment?

Mr. GINSBERG. No. The entertainment generally should pay for itself by virtue of admissions. Any business I know of operates in that way. If they have a stage show, they pay a certain price for the entertainers and try to get a crowd to come out.

Mr. TAVENNER. I notice when you issued an invitation to hear Israel Epstein, noted war correspondent, and Miss Yang Kang, American correspondent for Takung Pao, leading Chinese daily, that the admission was free.

Mr. GINSBERG. The admission was free by virtue of the fact it was held in the Enoch Pratt Free Library. That is a city institution, and they don't allow any affairs there at an admission, and we were meeting there also.

Mr. TAVENNER. Did you deposit the receipts from these entertainments in the bank and draw a check on the bank for the amount due the individuals for their appearance?

Mr. GINSBERG. In some cases we would, and in some cases we would pay the artist in cash and issue a check for the total amount of expenditures. But everything that we paid out is reflected in the bank statement, and also everything that came in.

Mr. TAVENNER. What is the largest amount you expended in payment of an artist or lecturer?

Mr. GINSBERG. The largest amount for artists was paid in a joint series of concerts with the Baltimore Museum of Art, and they handled the payment of that. We jointly sponsored it, and they handled the finances. It turned out the series was a loss.

Mr. TAVENNER. How much did you lose?

Mr. GINSBERG. I don't know. They would have the figures.

Mr. TAVENNER. Did you reimburse them for your proportionate part of the loss?

Mr. GINSBERG. We did.

Mr. TAVENNER. How much was that?

Mr. GINSBERG. Probably between \$50 and \$75. I am not sure of that amount. They would have the exact amount, because they received the check.

Mr. WALTER. Was that paid by check?

Mr. GINSBERG. That was paid by check.

Mr. WALTER. And is it among the records the photostats of which we have?

Mr. GINSBERG. Yes.

Mr. WALTER. Do you remember the date?

Mr. GINSBERG. The date of the series was July and August 1944. Two were in July and the last one was in August.

Mr. TAVENNER. Do you have your canceled checks?

Mr. GINSBERG. No; I don't have them. They were around since 1943. The organization was defunct. It didn't have anything.

Mr. TAVENNER. What time of year did you collect your annual dues?

Mr. GINSBERG. It depended on when the membership of a person expired.

Mr. TAVENNER. With regard to Israel Epstein, do you know whether or not he was a member of the Communist Party?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. BLOCH. Off the record.

(Discussion off the record.)

Mr. TAVENNER. I understand that you desire to change or explain your answer relating to my question about the membership of certain persons in the bookshop.

Mr. GINSBERG. In the bookshop? O. K.

Mr. TAVENNER. If you desire to make any change in your testimony, or any explanation, you are at liberty to do so.

Mr. GINSBERG. Yes; I do.

Mr. TAVENNER. Go ahead.

Mr. GINSBERG. You asked me a question about Florence Schwartz and Iz Schwartz, as to whether they were members of The Bookshop Association.

Mr. TAVENNER. That is correct.

Mr. GINSBERG. They were members of the Bookshop Association.

Mr. TAVENNER. Florence Schwartz and Isidore Schwartz, her husband?

Mr. GINSBERG. Yes.

Mr. TAVENNER. Do you desire to change or explain your testimony with regard to their possible membership in the Communist Party?

Mr. GINSBERG. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. BLOCH. Just to clarify the record, do we all understand that the witness is now standing on his original declination to answer with respect to those persons' membership or nonmembership in the Communist Party?

Mr. WALTER. That is perfectly clear. He refused to testify as to the membership of some individual in the bookshop after he had admitted

he was an officer in the bookshop. That is the only change he is making.

Mr. BLOCH. That is correct.

Mr. GINSBERG. Yes.

Mr. TAVENNER. Did the members of the bookshop meet at the meeting place of the bookshop for any purposes other than those for which the corporation was organized?

Mr. GINSBERG. The members of the bookshop association only met in the bookshop for the business of the bookshop.

Mr. TAVENNER. Was it used for any other purpose?

Mr. BLOCH. You mean the bookshop?

Mr. TAVENNER. The bookshop meeting place.

Mr. GINSBERG (after conferring with his counsel). No, it wasn't used for any other purpose.

Mr. TAVENNER. Was there ever a Communist Party meeting held there?

Mr. GINSBERG. Never to my knowledge. You have to remember that I came in as an officer of this organization in April 1943. At least, I was authorized to sign checks on that date. I may have been an officer 3 or 4 or 5 months before that. The place closed in June. So my knowledge of what went on in the bookshop is limited. It is from 1943, practically when the place closed, until the time of dissolution.

Mr. TAVENNER. Then your answer covers only a short period of time?

Mr. GINSBERG. Yes.

Mr. TAVENNER. Then, as I understand, you are not attempting to answer as to what meetings were held prior to the time you were elected treasurer?

Mr. GINSBERG. That is right. I can't answer for that.

Mr. TAVENNER. You were, of course, a member before you were elected treasurer?

Mr. GINSBERG. Yes.

Mr. TAVENNER. Did you attend any Communist Party meetings in the rooms of the organization at any time, whether after you were made treasurer or before?

Mr. GINSBERG (after conferring with his counsel). I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. I have no further questions.

Mr. WALTER. General Kearney.

Mr. KEARNEY. Do you have in your possession now a list of the members of the Bookshop Association?

Mr. GINSBERG. No, sir.

Mr. KEARNEY. Can you obtain a list?

Mr. GINSBERG. No, sir.

Mr. KEARNEY. Was that list thrown away with the records?

Mr. GINSBERG. Everything was thrown away.

Mr. KEARNEY. When were those records thrown away?

Mr. GINSBERG. Last year.

Mr. KEARNEY. Before you received the subpoena?

Mr. GINSBERG. Oh, yes.

Mr. KEARNEY. That is all.

Mr. WALTER. Mr. Jackson.

Mr. JACKSON. Can you furnish, or are you willing to furnish, a list to this committee, to the best of your knowledge, of those persons who were members of the Bookshop Association?

Mr. GINSBERG. Yes.

Mr. JACKSON. You will furnish, to the best of your knowledge, a list of those members?

Mr. GINSBERG. Yes.

Mr. JACKSON. I believe you stated that to the best of your knowledge Mr. Paul Robeson did not appear before the association in any of its activities as a lecturer or otherwise?

Mr. GINSBERG. Mister?

Mr. JACKSON. Yes.

Mr. GINSBERG. To the best of my knowledge that is true.

Mr. JACKSON. Did Mrs. Robeson appear in any capacity at any meeting or activity of the association?

Mr. GINSBERG. To the best of my knowledge she did not. I don't remember. I can say this pretty surely, she did not appear when I was an officer, because I think I would remember.

Mr. JACKSON. You mean in an official capacity as an entertainer?

Mr. GINSBERG. Entertainer or speaker.

Mr. JACKSON. Did either Mr. or Mrs. Paul Robeson attend any gatherings or meetings not in the capacity of entertainers?

Mr. GINSBERG. Not to my knowledge.

Mr. JACKSON. Do I understand that your answer to a previous question was that no other groups were permitted to utilize the premises occupied by the bookshop?

(Representative Clyde Doyle left hearing room.)

Mr. GINSBERG. I don't quite understand the question.

Mr. JACKSON. Did any other group of any sort hold any meetings of any kind on the premises normally occupied by the bookshop?

Mr. BLOCH. May I ask the Congressman whether we are covering a general period of time or a specific period of time?

Mr. JACKSON. At any period of time within the knowledge of the witness.

Mr. GINSBERG (after conferring with his counsel). To the best of my knowledge no other groups met there.

Mr. JACKSON. What individuals were in physical possession of means of entry to the premises?

Mr. GINSBERG. The manager of the bookshop.

Mr. JACKSON. Only the manager of the bookshop?

Mr. GINSBERG. She had the keys.

Mr. JACKSON. Was the employee in possession of the key, or was that the manager? Were they one and the same?

Mr. GINSBERG. Just one.

Mr. JACKSON. Among the book publishers with which the Bookshop Association had contact, was the Worker's Library Publishers included, to the best of your knowledge?

Mr. GINSBERG. I doubt it very much.

Mr. JACKSON. Or the international publications?

Mr. GINSBERG. The international, I do remember a few small checks being made to them; yes.

Mr. JACKSON. Have you ever known Alexander Trachtenberg?

Mr. GINSBERG (after conferring with his counsel). No; categorically no.

Mr. JACKSON. Have you ever met V. J. Jerome?

Mr. GINSBERG. No, sir.

Mr. JACKSON. Did the Bookshop Association also arrange for subscriptions to periodicals and magazines?

Mr. GINSBERG. Yes, sir.

Mr. JACKSON. Did that include New Masses?

Mr. GINSBERG. It included anything anybody would pay for.

Mr. JACKSON. Do you know of anyone of your personal knowledge who appeared as an entertainer or as a lecturer before The Bookshop Association who was widely known for the conservative views he held, in contrast to several you have named who are more or less known for their extreme liberal views?

Mr. GINSBERG (after consulting with his counsel). We had some conservative people speak, I think. We had Dr. Guttmacher.

Mr. TAVENNER. Will you give the spelling of his name?

Mr. GINSBERG. G-u-t-t-m-a-c-h-e-r.

Mr. TAVENNER. Spell his first name.

Mr. GINSBERG. I don't know his first name. I think it is Manfred. He spoke on his book, The Insanity of George III.

Mr. JACKSON. What is his capacity?

Mr. GINSBERG. He is a psychiatrist.

Mr. JACKSON. Where does he practice?

Mr. GINSBERG. In Baltimore. I think he is at Johns Hopkins.

Mr. JACKSON. Do any other names occur to you at the moment? I am trying to strike a balance.

Mr. GINSBERG. Yes. There was Howard Kaplan, head of the OPA, who spoke on the necessity of cooperation with the OPA. And there was one named Carter, I believe, who spoke on civilian defense.

Mr. JACKSON. I can't think offhand of any active member of the party who speaks for necessity of cooperation with the OPA. That has no connotation in respect to the man you mentioned.

Have you traveled abroad?

Mr. GINSBERG. Abroad?

Mr. JACKSON. Yes.

Mr. GINSBERG. No.

Mr. JACKSON. That is all.

Mr. WALTER. Any further questions?

Mr. TAVENNER. Mr. Chairman, the witness was requested to furnish a list of the names of those who were members of the Bookshop Association, as far as he could recall them, and he said he would. I would like for him to go into my office adjoining this hearing room, and there he may have the use of my secretary and he can prepare the list there.

Mr. BLOCH. Or the witness is prepared to give the answer in open session.

Mr. TAVENNER. We have asked for the furnishing of the list so he can prepare it.

Mr. BLOCH. I would like it to be made part of the record of the open session.

Mr. TAVENNER. The committee has not requested that it be made part of the record of the open session.

Mr. BLOCH. May I make the request that it be incorporated in the record and made part of his answers given here?

Mr. WALTER. We will determine the advisability of incorporating it in the record.

Mr. BLOCH. May the witness make a statement on this subject?

Mr. GINSBERG. This question of the list, this list I haven't seen for years. I had to try to revive my memory. I went through the phone book and tried to remember names. These names in my opinion are accurate, but there may be some inaccuracies here.

Mr. WALTER. That is one of the very reasons why it should not be incorporated in the record.

Mr. BLOCH. I think with that clarification everybody understands it.

Mr. TAVENNER. So if you will give the list to my secretary.

Mr. KEARNEY. Do I understand the witness has the list made now?

Mr. WALTER. No. The witness is trying to prepare a list of the membership through his recollection and by examining the phone book.

Mr. BLOCH. He jotted down a number of names. The witnesses prepared this list of names by going through the telephone book and using his independent recollection. I think there are 10 or 15 or maybe 20 names here.

Mr. TAVENNER. If you have that list, you could hand it to the editor now.

Mr. BLOCH. Off the record.

(Discussion off the record.)

Mr. WALTER. The witness may be excused.

(Witness excused.)

(Testimony of the next witness, Howard Bernard Silverberg, is printed in another volume under same title, pt. 2, with subtitle, "Maryland Committee for Peace and Baltimore County Committee for Peace.")

HEARINGS RELATING TO COMMUNIST ACTIVITIES IN THE DEFENSE AREA OF BALTIMORE—PART 3

TUESDAY, JULY 10, 1951

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The Committee on Un-American Activities met, pursuant to call, at 10:30 a. m. in room 226, Old House Office Building, Hon. John S. Wood (chairman) presiding.

Committee members present: Representatives John S. Wood (chairman), Francis E. Walter, Clyde Doyle, James B. Frazier, Jr., Harold H. Velde (appearance as noted in transcript), Bernard W. Kearney (appearance as noted in transcript), Donald L. Jackson, and Charles E. Potter.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., assistant counsel; Donald T. Appell, investigator; Raphael I. Nixon, director of research; John W. Carrington, clerk; and A. S. Poore, editor.

Mr. WOOD. Let the committee be in order, please, and let the record disclose that there are present the following members of the committee: Mr. Walter, Mr. Doyle, Mr. Frazier, Mr. Jackson, Mr. Potter, and Mr. Wood, a quorum of the committee.

Whom do you have, Mr. Counsel?

Mr. TAVENNER. Mr. Chairman, the first witness this morning is Mr. Harold Buchman.

I would like to state for the benefit of the committee that, as the committee has observed, Mr. Buchman has been counsel for a number of witnesses from the Baltimore area who have appeared here. The subpoena served upon him was served prior to the committee's knowledge that he was acting as legal adviser to any of the witnesses, or acting as counsel for them in the hearings.

(Representative Bernard W. Kearney entered hearing room.)

Mr. WOOD. Let the record show Mr. Kearney of the committee is also present.

Will the witness raise his right hand and be sworn, please?

Do you solemnly swear the evidence you give this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BUCHMAN. I do.

**TESTIMONY OF HAROLD BUCHMAN, ACCOMPANIED BY HIS
COUNSEL, JOSEPH FORER AND MITCHELL A. DUBOW**

Mr. TAVENNER. Will you state your full name, please?

Mr. BUCHMAN. My name is Harold Buchman.

Mr. TAVENNER. Are you represented by counsel?

Mr. BUCHMAN. I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. FORER. Joseph Forer, 711 Fourteenth Street NW., Washington, D. C.

Mr. DUBOW. And Mitchell A. Dubow, 213 Tower Building, Baltimore, Md.

Mr. TAVENNER. When and where were you born, Mr. Buchman?

Mr. BUCHMAN. Before beginning, Mr. Tavenner, I would like to read a statement into the record, sir.

[Reading:] "After watching for 2 weeks"—

Mr. TAVENNER. Just a moment.

[To the chairman:] He said before answering any questions about his age and so on, he wanted to read a statement into the record.

Mr. WOOD. If you have a statement you would like to file with the committee, leave it with the clerk.

Mr. BUCHMAN. I would like to read it, sir.

Mr. WOOD. It is not permitted.

Mr. BUCHMAN. It seems to me—

Mr. WOOD. It doesn't make any difference what it seems to you. You can file it with the clerk.

Mr. BUCHMAN. You have permitted other witnesses to read statements.

Mr. WOOD. I will not permit you to read a propaganda statement you gave to the press this morning.

Mr. BUCHMAN. I want to note my protest, sir.

Mr. TAVENNER. When and where were you born?

Mr. BUCHMAN. I was born in Baltimore, Md., in July 1916, July 28, I believe.

Mr. TAVENNER. Will you state your educational training?

Mr. BUCHMAN. I went to elementary school No. 62 in Baltimore. I went to an accelerated junior high, No. 49, and Baltimore City College to high school.

Then I went to the University of Baltimore Law School, and I think I took a few language courses. I had about a month of German at night in high school; I have taken several courses in Italian and Spanish; and I believe in night school at Baltimore City College I also took about a month of Russian.

Mr. TAVENNER. When did you complete your educational work?

Mr. BUCHMAN. Well, my educational work is a continuing process. I am taking several language courses now.

Mr. TAVENNER. Of course, but during your period in college?

Mr. BUCHMAN. I completed the University of Baltimore in 1938.

Mr. TAVENNER. In what profession are you now engaged?

Mr. BUCHMAN. I am engaged in the practice of law.

Mr. TAVENNER. Will you outline for the committee what your occupational background has been? That is, whether you have engaged, since the completion of your school work, in any work other than the legal profession?

Mr. BUCHMAN. Well, for about 2 years—no, about 5 years—while I was going to law school, I worked as a stenographer in a law office; and from that time on, with the exception of several years in the Navy, I practiced law, with the exception of the year 1948.

Mr. TAVENNER. How were you employed in the year 1948?

Mr. BUCHMAN. I refuse to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Where do you now reside?

Mr. BUCHMAN. 2651 Loyola Southway, Baltimore, Md.

Mr. TAVENNER. How long have you lived in Baltimore?

Mr. BUCHMAN. All my life.

Mr. TAVENNER. Were you living there in 1948?

Mr. BUCHMAN. Yes.

Mr. TAVENNER. What organizations do you hold membership in?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Mr. Buchman, I would like to ask you to tell the committee what connection you have had with an organization known as the Council for Jobs and Relief in Baltimore?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Do you know the circumstances under which that organization was formed, and when it was formed?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Have you attended meetings of that organization?

Mr. BUCHMAN. I refuse to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Will you tell the committee what you know regarding the functioning of the Civil Rights Congress in the city of Baltimore?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. The committee is in possession of information indicating that on October 25, 1949, you attended a memorial service for Lenwood Matthews sponsored by the Maryland chapter of the Civil Rights Congress.

Will you tell the committee what you know about the sponsoring of that memorial service, who initiated it?

Mr. BUCHMAN. I don't remember anything about it. I don't recall it at all.

Mr. TAVENNER. Did you attend the Civil Rights Congress rally held at Turner's Arena in Washington, D. C., on October 20, 1949?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. The committee is in possession of information indicating that you forwarded the name of Maurice Braverman to New York as a sponsor of the Bill of Rights Conference held in New York City July 16 and 17, 1949. Is that correct?

Mr. BUCHMAN (after conferring with Mr. Forer). I don't recall it at all, sir.

Mr. TAVENNER. Were you a delegate to the Bill of Rights Conference held in New York City in July 1949?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Was Mr. Maurice Braverman a delegate to that conference?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. The committee is in possession of information indicating that the Civil Rights Congress held a mass rally at 1029 East Baltimore Street on August 14, 1949, at which Mr. Maurice Braverman introduced the speakers: Mr. George Meyers, M-e-y-e-r-s, and John Gates, the John Gates being one of the 12 leaders of the Communist Party then on trial in New York City—or rather one of the 12 indicted and one of the 11 then on trial—for conspiracy to teach the violent overthrow of the United States Government, and that you were present. Were you present?

(Representative Harold H. Velde entered hearing room.)

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Is the George Meyers to whom I referred the labor secretary of the Communist Party in Baltimore?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Do you know whether or not Maurice Braverman at that time was an attorney in Baltimore?

(The witness conferred with Mr. Forer.)

Mr. FORER. Will you mention the time again?

Mr. TAVENNER. August 1949.

Mr. BUCHMAN. Yes, I know of him as an attorney, yes, sir.

Mr. TAVENNER. Did he hold any official position at that time in the Communist Party, to your knowledge?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Was he attorney for the Communist Party in the city of Baltimore in August 1949?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Mr. Buchman, a very significant statement was made by Mr. Benjamin Margolis, Mr. Ben Margolis, one of the five lawyers retained by the 19 persons from Hollywood who were subpoenaed as witnesses before this committee in October 1947. The statement, which appears in the November 3, 1947, issue of the Evening Star, Washington, D. C., reads as follows:

Ben Margolis, one of five lawyers retained by the 19, said there is "a sound legal basis for fighting this committee," and added that "what the Supreme Court does depends to a large extent on the political climate of the country." He predicted that the "political climate" will be wrong "unless the American people unite * * * and the committee is exposed as an enemy of the people."

Considerable information has come to the committee's attention to the effect that the Communist Party has deliberately attempted to influence the decisions of the courts in matters relating to communism by attempting to create an artificial political atmosphere. I would like to know what knowledge you have of such activities, if they existed, in the city of Baltimore and State of Maryland.

Mr. BUCHMAN. I can speak only for myself. I recall the famous saying of Mr. Dooley that the Supreme Court follows the election returns. I recall that when I was in law school I had a great deal of reverence for the opinions of Justices Holmes, Brandeis, and Cordozo, and read every one I could get my hands on. And I think students in law schools now and in the future will hold in reverence the opinions of Justice Black and Justice Douglas, because I think they represent the true spirit of America.

I also feel, and my feeling has been confirmed by what I have seen in these hearings in the past 2 weeks, that this committee does represent a menace to democracy, because of all the witnesses that have come here, neither has any act or statement been exposed, or even questioned, as to whether the individuals questioned, including my clients, had in any way acted to the detriment—

Mr. WOOD. You were not invited to express any opinion on this committee. You were asked what you knew about attempts in the city of Baltimore to influence judicial decisions or to create an atmosphere that would serve to influence the decisions of the courts. In effect, that was the question.

Mr. BUCHMAN. Will you repeat the question?

Mr. WOOD. Let the court reporter read the question.

(The question referred to was read by the reporter.)

Mr. BUCHMAN. The question is unclear. I wish you would rephrase it to make clear the meaning the chairman had in mind.

Mr. TAVENNER. I think it is perfectly clear. The question is whether or not you know of any activities in the city of Baltimore and State of Maryland which would indicate an attempt by the Communist Party to influence the courts in matters relating to communism.

Mr. BUCHMAN. I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Has there not been a deliberate attempt to so influence the courts, and have you not participated in it?

Mr. BUCHMAN. Again I ask you to reframe your question.

Mr. TAVENNER. Will you read the question?

(The question referred to was read by the reporter.)

Mr. BUCHMAN. All I know is that if you are referring to my court fights against the Ober law, and against all legislation which I consider an attack against the first amendment, I acted as a lawyer, and I think it is the duty of every lawyer to respond in cases of that character.

Mr. TAVENNER. In that fight in regard to the Ober law, did you consult with members of the Communist Party in regard to it?

Mr. BUCHMAN. I refuse to answer the question on the ground it may tend to incriminate me.

Mr. TAVENNER. Were you a member of a delegation on October 27, 1949, which journeyed to Washington for the purpose of contacting Attorney General McGrath and to picket the Department of Justice Building?

Mr. BUCHMAN (after conferring with Mr. Forer). I don't remember.

Mr. TAVENNER. You do not remember?

Mr. BUCHMAN. No, I don't.

Mr. TAVENNER. Do you recall whether or not a delegation came from Baltimore to Washington to the Attorney General's office regarding the matter of bail for the 11 convicted leaders of the Communist Party?

Mr. BUCHMAN. Any date on that?

Mr. TAVENNER. October 27, 1949, or about that date.

Mr. BUCHMAN (after conferring with Mr. Forer). I really couldn't say. I don't remember.

Mr. TAVENNER. You do not remember. Do you know whether an effort was made by Mr. Maurice Braverman or any other persons in Baltimore to secure signatures to a brief being prepared in Baltimore in behalf of the Communist Party attorneys who were cited for contempt by Federal Judge Medina?

Mr. BUCHMAN (after conferring with Mr. Forer). I don't recall exactly, but I may have signed such a petition, because I really feel that the citation for contempt of the lawyers was a very bad thing.

Mr. TAVENNER. Did you approve the conduct of the lawyers representing the Communists in the course of the trial of that case?

Mr. BUCHMAN (after conferring with Mr. Forer). I am not familiar with all the details of their conduct, but it seems to me that the effect of the contempt citation, the manner in which it was imposed, would serve to deter lawyers from representing clients in this particular period.

It has a twofold adverse effect. First—and it is also true, I found, of these hearings, too—it serves to deter lawyers from representing clients; and also, more fundamentally, it seems to me, it deprives people, in cases involving minorities, and so on, of their right to counsel of their own choice.

Mr. TAVENNER. Do you think that should be license to attorneys to conduct themselves as the attorneys did conduct themselves in this case?

Mr. BUCHMAN. How did the lawyers conduct themselves?

Mr. TAVENNER. You evidently knew enough about it that you wired the judge in protest. Do you mean you wired without making an investigation?

Mr. BUCHMAN. Probably at that time I had knowledge of some things that I thought were improper.

Mr. TAVENNER. Will you tell us the circumstances under which your signature was obtained to the brief?

Mr. BUCHMAN. I haven't the slightest recollection. But on the last point, one of the things I thought was particularly bad was, after the conclusion of that trial, the summary citing of the attorneys for contempt, as I recall. In other words, without trial of the attorneys, immediately after the completion of the trial they were cited for contempt. And, by the way, that is not simply my opinion. There is very widespread support for that opinion.

Mr. TAVENNER. Will you tell us the circumstances under which that movement was started in Baltimore?

Mr. BUCHMAN. What movement?

Mr. TAVENNER. The movement of signing the brief.

Mr. BUCHMAN. I don't even remember signing the brief. I say I may have signed it, because I agreed with it. I don't remember the circumstances.

Mr. TAVENNER. Were you a signer of a telegram to Federal Judge Harold Medina on August 17, 1949, protesting the jailing of the three leaders of the National Communist Party?

Mr. BUCHMAN. I don't recall signing any such telegram.

Mr. KEARNEY. If your name was on that telegram, was it without your consent and knowledge?

Mr. BUCHMAN. I don't know. Ordinarily I suppose nobody would use my name without authority.

Mr. KEARNEY. I didn't hear that.

Mr. BUCHMAN. I say I don't suppose anyone would use my name without authority.

Mr. KEARNEY. Then I take it that it was with your knowledge and consent?

Mr. BUCHMAN. I don't recall it at all, sir.

Mr. KEARNEY. If you did recall it, would you admit it?

Mr. BUCHMAN. I certainly would.

Mr. WALTER. You aren't questioning the authority of the court to punish people for contempt committed in the presence of the court without hearing?

Mr. BUCHMAN. This wasn't during the course of the trial, as I recall. It was after the conclusion of the trial, and as I understand, he didn't even prepare specifications until some subsequent date. He summarily cited them for contempt, without giving them specifications or a hearing, in violation, it seems to me, of due process.

Mr. WALTER. The lawyers were informed during the course of the trial of their contemptuous conduct, and the only reason the court did not punish them when the contemptuous acts were committed was because the judge was leaning over backward to see that the rights of the accused were fully protected.

Mr. BUCHMAN. But it seems to me either he should have given them a hearing, or let another judge give them a hearing.

Mr. KEARNEY. Even though the contempt was committed in his presence?

Mr. BUCHMAN. He didn't act when the contempt occurred.

Mr. KEARNEY. As the gentleman from Pennsylvania has stated, they were warned repeatedly of their contemptuous actions. He stated time and again that if it continued he would punish them for contempt of court.

Mr. BUCHMAN. I happen to feel that a lawyer, like any other citizen, is entitled to a hearing.

Mr. KEARNEY. You know as well as I do that you read, the same as all other individuals interested, the story of that trial. Is that so?

Mr. BUCHMAN. That is true.

Mr. KEARNEY. Do you believe any attorney, admitted to the bar of any State, has the right to perform such contemptuous acts toward the court as was done by the attorneys for the 11 Communists on trial in New York?

Mr. BUCHMAN. I am not familiar with the complete record of the case.

Mr. KEARNEY. Do you believe in contemptuous attitude toward the court?

Mr. BUCHMAN. No; of course not.

Mr. KEARNEY. Don't you agree those lawyers were contemptuous in their attitude toward the court?

Mr. BUCHMAN. There is room for debate.

Mr. KEARNEY. They were found guilty of contempt?

Mr. BUCHMAN. There is a petition pending on that contempt citation, I believe.

Mr. WOOD. Let me ask you just one question: You say you don't recall signing this telegram to Judge Medina protesting his action in this matter, notwithstanding your name appears as one of the signers. If you did sign it, do you now repudiate that action?

Mr. BUCHMAN. What telegram are you referring to?

Mr. WOOD. The telegram to Judge Medina in August 1949 protesting his action in citing the attorneys for contempt.

Mr. BUCHMAN. I would certainly subscribe to that today, too, because it seems to me that a lawyer, like any other citizen, is entitled to a hearing on charges where, as in this particular case, at the conclusion of the trial the judge summarily cites them for contempt for a long string of actions that occurred over several months. It seems elementary there should have been a hearing before Judge Medina or before another Judge.

In the course of the trial—I think I know what you are thinking of, Judge Walter—to preserve the dignity of the court, summary contempt powers, exist; but this is a different situation.

Mr. KEARNEY. Isn't it also true that the attorneys for the 11 Communists on trial at that time were hoping that the judge would cite them for contempt during the trial in order that they might have a mistrial?

Mr. BUCHMAN. I am not psychic, sir.

Mr. KEARNEY. I am not saying you were cited.

Mr. BUCHMAN. I say I am not psychic.

Mr. KEARNEY. You are evidently psychic enough to know whether they were in contemptuous attitude toward the court?

Mr. BUCHMAN. I have given you one specific reason why I may have signed the telegram. I could probably give you more, but I don't think this is the time or place for it.

Mr. KEARNEY. You said you didn't know if you signed the telegram?

Mr. BUCHMAN. I don't recall signing it. If I did, I still subscribe to those sentiments.

Mr. DOYLE. You would agree with me, would you not, that the attorneys representing the 11 Communists, and who were cited at the end of the trial, were probably the best informed and best qualified attorneys, as far as preparation was concerned, to represent the defendants in that trial?

Mr. BUCHMAN. I don't know.

Mr. DOYLE. Presumably. The reason I asked that question in that way as a foundation, you would agree with me, would you not, that as a result of having the same attorneys throughout the trial, these defendants presumably had better representation than they would have had by engaging new counsel in the course of the trial?

Mr. BUCHMAN. I presume that is true.

Mr. DOYLE. You and I are both lawyers, and you know it is true. You shake your head.

Mr. BUCHMAN. I didn't know you were a lawyer. I was shaking my head in recognition.

Mr. DOYLE. I practice law the same as you do, and I am still learning.

Mr. BUCHMAN. We all have lots to learn, sir.

Mr. KEARNEY. Do you believe, Mr. Buchman, assuming this state of facts, that a trial is protracted over many weeks, and during the course of the trial the judge announces that "upon the conclusion of this trial I am going to punish you for contempt of court," do you think he has a right to do that?

Mr. BUCHMAN. I am not sure whether he said that during the course of the trial.

Mr. KEARNEY. Assuming he did.

Mr. BUCHMAN. I will say this: Here we have a trial lasting for months, an extremely difficult trial, a political trial, involving difficulties—

Mr. KEARNEY. Involving defendants who were on trial because their theory was the overthrow of this Government by force and violence.

Mr. BUCHMAN. Nevertheless, in your first question you were setting forth a state of facts, were you not?

Mr. KEARNEY. That is right.

Mr. BUCHMAN. You didn't complete your question, I don't believe.

Mr. KEARNEY. I don't believe you completed your answer.

Mr. DUBOW. Will the reporter read the question?

(The question referred to was read by the reporter, as follows: "Do you believe, Mr. Buchman, assuming this state of facts, that a trial is protracted over many weeks, and during the course of the trial the judge announces that 'Upon the conclusion of this trial I am going to punish you for contempt of court,' do you think he has a right to do that?")

Mr. BUCHMAN. All I can say is that Judge Clark, in his dissenting opinion in the Second Circuit Court of Appeals, expressed the precise views I am expressing in connection with the citation of these attorneys for contempt.

Mr. KEARNEY. Do you think before Judge Medina these 11 defendants had a fair and impartial trial?

Mr. BUCHMAN. I haven't read the transcript.

Mr. KEARNEY. You haven't read the transcript, but you seem to know a lot about what was going on.

Mr. BUCHMAN. I read the briefs filed in the circuit court.

Mr. KEARNEY. Can you answer the question?

Mr. BUCHMAN. I say there are inherent vices in any political trial which makes for difficulties.

Mr. KEARNEY. There are inherent vices in any trial, leaving out the word "political."

Mr. BUCHMAN. Political trials have a long history. If you have read about the sedition trials in England—there, too, you are confronted with the same vice, What is a fair trial?

Mr. KEARNEY. Do you believe these 11 defendants belonged to an organization dedicated to the overthrow of this Government by force and violence?

Mr. BUCHMAN (after conferring with Mr. Forer). I couldn't express an opinion on that.

Mr. KEARNEY. Are you a member of the Communist Party?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. KEARNEY. Isn't the Communist Party dedicated to the overthrow of this Government by force and violence?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground it may tend to incriminate me.

Mr. KEARNEY. I think that answer satisfies me.

Mr. BUCHMAN. It satisfies you, sir?

Mr. KEARNEY. It certainly does.

Mr. WOOD. Proceed, Mr. Counsel.

Mr. TAVENNER. You spoke earlier of the opinion of Mr. Justice Black in the Smith Act case. That opinion was pretty widely circulated in the city of Baltimore, was it not?

Mr. BUCHMAN. You mean the covering letter?

Mr. TAVENNER. Yes. I hand you a letter dated June 18, 1951, and ask if that is the letter to which you refer?

Mr. BUCHMAN. That is right.

Mr. TAVENNER. And also, attached to it, is the opinion of Mr. Justice Black referred to in the letter?

Mr. BUCHMAN. Yes. The letter reads:

The dissenting opinion of Mr. Justice Black in the Smith Act case will rank with the memorable American documents that express the true spirit of liberty in our country.

We are, therefore, enclosing a copy of this opinion since it has not received the wide publication that it merits.

At a time when hysteria threatens to drown the liberties of all Americans, Mr. Justice Black's opinion will serve as a rallying call, as in the cases of the late Justices Hughes, Holmes, Brandeis, and Cardozo to restore the first amendment of the Constitution to its high place in the charters of American freedom.

Mr. TAVENNER. Now will you read the names signed to it?

Mr. BUCHMAN (reading):

Sincerely yours, Maurice Braverman, Harold Buchman, Ely A. Castleman, Mitchell A. Dubow, William H. Murphy.

Mr. WALTER. You have read the names of some great Americans.

Mr. BUCHMAN. That is right, sir. Don't you agree that those are great Americans?

Mr. WALTER. Yes, but you have slandered their names by associating that of Justice Black with them.

Mr. BUCHMAN. That is your opinion, sir.

Mr. WALTER. Sure, and I am entitled to it.

Mr. TAVENNER. Will you read the names of the signers of that letter again? What is the first name?

Mr. BUCHMAN. Maurice Braverman.

Mr. TAVENNER. Do you know whether Maurice Braverman had any connection with the Communist Party at the time of the writing of that letter?

Mr. BUCHMAN. I refuse to answer the question on the ground it may tend to incriminate me.

Mr. TAVENNER. Keep the letter. What is the second name?

Mr. BUCHMAN. Harold Buchman.

Mr. TAVENNER. That is your name?

Mr. BUCHMAN. That is right.

Mr. TAVENNER. I believe you have answered the question whether you are a member of the Communist Party?

Mr. BUCHMAN. I refused to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. What is the third name?

Mr. BUCHMAN. Ely A. Castleman.

Mr. TAVENNER. Is he a member of the Communist Party to your knowledge?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. What is the next name?

Mr. BUCHMAN. Mitchell A. Dubow.

Mr. TAVENNER. Is he one of your counsel?

Mr. BUCHMAN. Yes.

Mr. TAVENNER. Sitting to your left?

Mr. BUCHMAN. Yes. He is also my law partner.

Mr. TAVENNER. Your law partner?

Mr. BUCHMAN. Yes.

Mr. TAVENNER. Is there any other name signed to that letter?

Mr. BUCHMAN. William H. Murphy.

Mr. TAVENNER. Who is Mr. Murphy?

Mr. BUCHMAN. Also an attorney in Baltimore City.

Mr. TAVENNER. Is he a member of the Communist Party to your knowledge?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Is Mr. Dubow a member of the Communist Party, to your knowledge?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Would you look at the copy of the opinion which has been printed? Do you find any mark to indicate who printed that copy?

Mr. BUCHMAN. No.

Mr. TAVENNER. Why is that?

Mr. BUCHMAN. I don't know.

Mr. TAVENNER. Doesn't the printer's mark usually appear?

Mr. BUCHMAN. Usually we try to use a union printer. This is not printed, is it? I think it is a multilith or photo-offset.

Mr. TAVENNER. Will you tell us the circumstances under which that was printed, or where it was printed?

Mr. BUCHMAN (after conferring with Mr. Forer). This looks like a multilith or photo-offset. If it is, I probably had it done at Multa Service, 15 South Gay Street.

Mr. TAVENNER. How many did you have printed?

Mr. BUCHMAN. Two thousand or two thousand five hundred. Do you consider it criminal to mail Justice Black's opinion to lawyers and ministers and so on?

Mr. TAVENNER. What did it cost you to print it?

Mr. BUCHMAN. To multilith it? I think the printing was \$40 and the mailing about \$60, as I recall. It cost about \$100.

Mr. TAVENNER. How was that cost taken care of?

Mr. BUCHMAN. Divided among the lawyers who signed the letter.

Mr. TAVENNER. Among the four?

Mr. BUCHMAN. Five.

Mr. TAVENNER. The five?

Mr. BUCHMAN. Yes.

Mr. TAVENNER. Did you consult any member of the Communist Party other than any whose name appears there regarding the preparation and the mailing of that opinion, prior to doing so?

Mr. BUCHMAN (after conferring with Mr. Forer). I just did it as a lawyer, with other lawyers, sir, that is all.

Mr. DOYLE. Are the lawyers members of the Communist Party?

Mr. BUCHMAN. I have already refused to answer that question on the ground it may tend to incriminate me.

Mr. WOOD. Were all the copies you had printed mailed to people?

Mr. BUCHMAN. That is right.

Mr. WOOD. Where did you get the list of people to whom you mailed it?

Mr. BUCHMAN. I took the names of the lawyers from the Lawyers' Directory, as I recall; and the names of clergymen, doctors, and I think labor leaders, from the phone book. I think that was all.

Mr. KEARNEY. Were any mailed to members of the Communist Party?

Mr. BUCHMAN (referring to crash caused by object falling in hearing room). It looks like that question had an earth-shaking effect, sir.

Mr. KEARNEY. All right.

Mr. BUCHMAN. There are no identification marks in the phone book, sir. The names were taken from the phone book and from the Lawyers' Directory.

Mr. KEARNEY. To your knowledge, were any of these mailed to members of the Communist Party?

Mr. BUCHMAN. I don't know. I couldn't say.

Mr. KEARNEY. Did you mail them?

Mr. BUCHMAN. I don't know if I took them directly to the post office, but they went out of my office.

Mr. KEARNEY. Of your own knowledge you don't know if any were mailed to members of the Communist Party?

Mr. BUCHMAN. I couldn't say.

Mr. KEARNEY. If you did, would you so admit to the committee?

Mr. BUCHMAN (after conferring with Mr. Forer). I don't know, sir, but would that make the opinion bad?

Mr. KEARNEY. I am not asking you anything about the opinion.

Mr. BUCHMAN. I don't know. I couldn't answer that question.

Mr. KEARNEY. I asked you, if you mailed any of these letters containing the opinion to any known members of the Communist Party, known to you, would you admit it?

Mr. BUCHMAN. I said I didn't know.

(Witness conferred with Mr. Forer.)

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. KEARNEY. That is the answer I wanted.

Mr. BUCHMAN. I thought you did.

Mr. KEARNEY. That is the answer I expected first.

Mr. TAVENNER. What is your office address?

Mr. BUCHMAN. 213 Tower Building.

Mr. TAVENNER. Was that your address in June 1951?

Mr. BUCHMAN. That is right.

Mr. TAVENNER. June 18?

Mr. BUCHMAN. That is right, sir.

Mr. TAVENNER. What is your home address?

Mr. BUCHMAN. 2651 Loyola Southway.

Mr. TAVENNER. I notice that the letter of June 18, 1951, bears your home address; so therefore you did not prepare it in your office; I assume you prepared it at your home?

Mr. BUCHMAN. No. The reason I did that, this letter and opinion was going out to lawyers and laymen, and I didn't want any impression left that I was soliciting lawyer's business.

Mr. TAVENNER. I understood you to say you prepared the list from the Lawyers' Directory?

Mr. BUCHMAN. And from the phone book.

Mr. TAVENNER. Did you prepare the list, or have it prepared?

Mr. BUCHMAN. We have a Lawyer's Directory, from which I got the names of the lawyers. The phone book has the names of clergymen, doctors, and labor leaders, and mailing to them was done from the phone book.

Mr. TAVENNER. You didn't answer my question. My question was whether you did that at the time these were mailed out, or whether there was a list that had already been prepared by some other group?

Mr. BUCHMAN. No, there was no previously prepared list.

Mr. KEARNEY. In other words, do I take your answer to mean that as far as the 2,500 letters being sent out were concerned, they were sent out to 2,500 individuals selected who might be particularly interested in the views of Justice Black?

Mr. BUCHMAN. Professional people and also labor leaders.

Mr. KEARNEY. Who might be interested in this particular opinion?

Mr. BUCHMAN. Well, if we had had the resources, it seems to me we would have mailed that to everybody in Baltimore City. It is that important, in my opinion.

Mr. KEARNEY. You didn't send any to Members of Congress?

Mr. BUCHMAN. No. Maybe it would have been a good idea.

Mr. KEARNEY. It might have been a good idea, but did you?

Mr. BUCHMAN. No.

Mr. KEARNEY. Did you mail it to the Senators?

Mr. BUCHMAN. Presumably we didn't. We sent it to Baltimore City. If Senator Butler is still listed in the Lawyers' Directory, he probably got a copy at his Baltimore office.

Mr. KEARNEY. Is the same true of Senator O'Connor?

Mr. BUCHMAN. If he is still listed in the Lawyers' Directory, he would have gotten a copy. I don't know if we reached the O's. We didn't go all the way through. There are 2,500 lawyers, approximately, listed in that directory.

Mr. KEARNEY. Out of the 2,500 lawyers listed in the Lawyers' Directory, to how many did you send this opinion?

Mr. BUCHMAN. We started with the ministers and doctors and labor leaders. I would say probably about half the lawyers in the directory got them.

Mr. KEARNEY. The opinion went to ministers, doctors—

Mr. BUCHMAN. Labor leaders.

Mr. KEARNEY. Labor leaders. Any merchants?

Mr. BUCHMAN. I don't think so. There is no separate listing of merchants.

Mr. KEARNEY. To priests?

Mr. BUCHMAN. If they are listed among ministers, I am sure they probably got them. "Clergyman" is the classification in the phone book.

Mr. DOYLE. May I ask, Why did you pick the professional people you have described, including lawyers?

Mr. BUCHMAN. It is obvious that these men have great influence in the community, are usually opinion-makers, and it seemed to us important that people in a position of influence should know the contents of Mr. Justice Black's opinion. I think every American should be acquainted with the contents of that opinion, because I am convinced ultimately it will be the law of the land.

Mr. WALTER. We have asked a number of questions about the list, not because we want to ask questions, but because the committee is informed the list was prepared by the Communist Party and given to you by the Communist Party.

Mr. BUCHMAN. There is no substance to that at all.

Mr. KEARNEY. In this letter or any subsequent letter, did you send out to these 2,500 individuals the opinion of the majority of the court?

Mr. BUCHMAN. Well, the Baltimore Sun usually takes care of that.

Mr. KEARNEY. Did you?

Mr. BUCHMAN. There was no particular necessity for me to inform the people of Baltimore what the majority opinion contained.

Mr. KEARNEY. Just the minority opinion?

Mr. BUCHMAN. That is right; in addition to my disagreement with the majority opinion.

Mr. WOOD. Proceed, Mr. Counsel.

Mr. TAVENNER. Mr. Buchman, have you participated in any movement or plan in Baltimore to raise funds for the defense of the 11 persons who were tried for Communist conspiracy?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Did you attend a meeting of any kind at the home of Harry Castleman for the purpose of raising funds for the Communist Party, or for the defense of the Communists?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Did you contribute to the bail bond fund of the Civil Rights Congress?

Mr. BUCHMAN (after conferring with M. Forer). I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Are you affiliated in any way with the Civil Rights Congress?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. I would like to ask you to tell the committee what you know about the formation in Baltimore of an organization known as the Baltimore Forum. That is, when it was organized, how it was organized, and what its purposes were, if you know.

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Did you attend its meetings?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. The committee is in possession of information indicating that a meeting of the city central committee of the International Workers' Order was held on April 27, 1949, at 1438 East Baltimore Street, and that it was called for the special purpose of discussing the Ober bill.

The committee is also informed that Lee Pressman was one of the speakers on that occasion, and that Mr. George Star, from the national office of the International Workers' Order, was also a speaker, and at this meeting that it was decided to oppose the Ober bill, and that during the course of the meeting it was also suggested that the city central committee disband, that is, the city central committee of the International Workers' Order.

Do you recall that incident?

(Representative Francis E. Walter left hearing room.)

Mr. BUCHMAN (after conferring with Mr. Forer). I don't recall the details of that meeting at all, the one that you mentioned, but I did represent as counsel the IWO in several matters, so I may have been there.

Mr. TAVENNER. Do you recall Mr. Lee Pressman being a speaker at the meeting?

Mr. BUCHMAN. I know he came down once to speak at a meeting. Whether it was that one or not, I cannot tell you. He may have been.

Mr. TAVENNER. What was the purpose of Lee Pressman addressing that meeting?

Mr. BUCHMAN. I think he was the general counsel for the IWO nationally, and he came down, I guess, in connection with the Ober law or legal matters of the IWO.

Mr. TAVENNER. And you represented the IWO at that time?

Mr. BUCHMAN. I think I did.

Mr. TAVENNER. The local group?

Mr. BUCHMAN. I think so.

Mr. TAVENNER. Were you a member of the International Workers' Order?

Mr. BUCHMAN (after conferring with Mr. Forer). No; I am not a member.

Mr. TAVENNER. Were you a member?

Mr. BUCHMAN. No.

Mr. TAVENNER. Now, do you recall considering the question of liquidating the city central committee of the International Workers' Order?

Mr. BUCHMAN. I have no recollection at all of that, sir.

Mr. TAVENNER. Do you not recall that the committees in various other places were liquidated, or had been at that time?

Mr. BUCHMAN. Not to my knowledge. I don't know. I couldn't say.

Mr. TAVENNER. Well, as counsel, do you know that that matter was discussed?

Mr. BUCHMAN. Well, of course, I couldn't tell you any confidential matter between lawyer and client, but I don't recall any discussion of that.

Mr. TAVENNER. Over how long a period of time did you represent the local organization of the International Workers' Order?

Mr. BUCHMAN. I don't remember. About a year or a year and a half, I think.

Mr. TAVENNER. Beginning approximately when?

Mr. BUCHMAN. It was not a continuous affair. They had two or three matters, I think, they called me in on.

Mr. TAVENNER. Well, your employment began at approximately what time and ended approximately when?

Mr. BUCHMAN. It was not a continuous employment. I think they called me in because they were discussing whether to participate in the Ober case, and several other matters that I handled subsequently. It was not a continuous employment.

Mr. TAVENNER. I understand it was not continuous, but when did it begin and when did it end?

Mr. BUCHMAN. I think the Ober law passed in the 1949 legislature, probably sometime in 1949. I don't think they ever intervened in the Ober case at all, as a matter of fact; at least, not through local counsel. I think a brief was filed nationally by IWO in the Ober case.

Mr. TAVENNER. Who were the officials of the IWO at that time, during the period you were employed by them?

Mr. BUCHMAN. I don't remember. I couldn't tell you.

Mr. TAVENNER. You were employed about a year and a half?

Mr. BUCHMAN. I was just called in on single matters.

Mr. TAVENNER. Well, who called upon you?

Mr. BUCHMAN. I think it was one of my clients here; I am not sure, now. I think the one I represented, Goodell.

(Representative Francis E. Walter returned to hearing room.)

Mr. TAVENNER. Will you give us that name again, please?

Mr. BUCHMAN. John Goodell, one of the men I represented in these hearings, or my partner represented. I think that is the one. I am not sure.

Mr. TAVENNER. Do you recall any others?

Mr. BUCHMAN. No; I don't.

Mr. TAVENNER. Did you attend the meeting on December 4, 1949, sponsored by Freedom of the Press Committee? The meeting was alleged to have been held at Morgan Hall, in which Ted Tinsley, a cartoonist for the Daily Worker, was the featured speaker.

Mr. BUCHMAN (after conferring with Mr. Forer). To the best of my knowledge I did not attend that meeting.

Mr. TAVENNER. What official position did you have, if any, in the Progressive Party?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Did you not appear before the House Committee on Foreign Affairs as the State director of the Progressive Party of Maryland and testify before that committee regarding the enactment of the Mutual Defense Assistance Act of 1949?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. Didn't you state before that committee that you were representing the Progressive Party?

Mr. BUCHMAN. I refuse to answer that question on the ground it may tend to incriminate me.

Mr. TAVENNER. You recall that Mr. Henry Wallace was a member of the Progressive Party, do you not?

Mr. BUCHMAN (after conferring with Mr. Forer). That was a matter of public knowledge, was it not?

Mr. TAVENNER. Yes, and do you have the same knowledge?

Mr. BUCHMAN. Yes.

Mr. TAVENNER. Do you recall Mr. Wallace's statement with regard to his position as to the war in Korea?

Mr. BUCHMAN (after conferring with Mr. Forer). I recall reading such a statement in the paper. I don't recall the exact contents of it.

Mr. TAVENNER. Well, what position did you take with regard to Mr. Wallace's announced action?

Mr. BUCHMAN (after conferring with Mr. Forer). Well, I——

Mr. TAVENNER. Let me ask you the question again. Did you make any public statement yourself with regard to Wallace's position with respect to Korea?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer the question on the grounds it may tend to incriminate me.

Mr. KEARNEY. That would be a matter of public record also, would it not?

Mr. BUCHMAN. I don't know.

Mr. TAVENNER. Did you not attack, through the press, Mr. Henry Wallace's characterization of the actions by the Chinese Communists as aggressive?

Mr. BUCHMAN (after conferring with Mr. Forer). Not to my recollection.

Mr. TAVENNER. The committee is informed that the Washington Star of August 2, 1950, at page A-4, reported that Harold Buchman, chairman of the Progressive Party of Maryland, attacked Wallace's position on Korea.

Does that refresh your recollection?

(The witness confers with Mr. Forer.)

Mr. FORER. Will you read that once more, please?

Mr. TAVENNER. The Washington Star, August 2, 1950, page A-4, reported that Harold Buchman, chairman of the Progressive Party of Maryland, attacked Wallace's position on Korea.

Mr. FORER. The question was whether that refreshes his recollection?

Mr. TAVENNER. Yes.

Mr. BUCHMAN. I still don't recall making that statement.

Mr. TAVENNER. Well, do you agree with Mr. Wallace's statement that in his opinion the Chinese Communists were the aggressors in Korea?

Mr. BUCHMAN. Was that his statement?

Mr. TAVENNER. I understand it was.

Mr. BUCHMAN. I don't recall his exact statement.

Mr. TAVENNER. Assuming that that is a correct statement of what Wallace stood for.

Mr. BUCHMAN. What you really want is my opinion on the Korean War and so on?

Mr. TAVENNER. That is right.

Mr. BUCHMAN. It is a rather involved question. I had the feeling then, and I have the feeling now, that the Korean War was not in the best interests of the American people; that it should have been han-

dled in the same way that the Dutch Indonesian conflict was handled, by negotiation and not military intervention.

Mr. JACKSON. Just a moment.

Mr. BUCHMAN. Let me finish my answer.

Mr. JACKSON. You are proceeding on an erroneous premise. Do you have any personal knowledge of the efforts made by the United Nations to bring about unification and settlement in Korea?

Mr. BUCHMAN. I have a fair knowledge of it.

Mr. JACKSON. I think the record should show that the United Nations Commission, established under the authority of the Charter, was designated and given the task of attempting to bring about a peaceful negotiation of the differences between North and South Korea, and that it was refused admission by the North Koreans and was therefore unable, through negotiation, to bring about settlement of the dispute between North and South Korea.

Mr. BUCHMAN. In order to state my position: The head of the United Nations Commission at that time was a representative of Chiang Kai-shek's government. If you will go back to the New York Times 2 years preceding June 25, I think you will find in the dispatches the underlying facts of what occurred in Korea during the period of the occupation of South Korea. If you want documentation, I will be glad to do it with you.

I submit it is my strong feeling that we should never have intervened in a military way in Korea; that the matter could have been settled without loss of American lives and without danger of conflagration. And I say that what is occurring in Korea today, it seems to me, is in a sense a vindication of our position that solution of world problems today cannot be resolved by resort to arms without world suicide.

I would like to refer you to a pamphlet of the Friends Service Committee, *The Steps to Peace*, in which that position is outlined and the details are set forth. It seems to me if we are to save the world, we have to do some rethinking, if we are to fulfill our duties as citizens and save the world from holocaust.

Mr. POTTER. Do you consider the attack of North Korea on South Korea as an act of aggression?

Mr. BUCHMAN. It seems to me Mr. Acheson's description of it as a civil war was an accurate description. It was a civil war. He used that term in the course of his testimony, and I feel that is precisely what occurred, a civil war.

Mr. KEARNEY. Considering it as a civil war, do you believe that the Chinese Communists had a right to intervene militarily?

Mr. BUCHMAN. The answer to that question is another question: Would we intervene if a foreign foe landed in Mexico?

Mr. KEARNEY. Please answer my question.

Mr. BUCHMAN. I think the Chinese probably felt just as we would feel if a foreign foe should land in Mexico, under the policy proclaimed in the Monroe Doctrine, and—

Mr. KEARNEY. Would you mind answering my question?

Mr. BUCHMAN. That is the answer. I think the Chinese felt that in order to guarantee the security of their borders—and this was right on their border—they had certain necessities to meet.

Mr. KEARNEY. Even though it was confined to this side of the Manchurian border, of the Chinese border?

Mr. BUCHMAN. There is some question about that, too.

Mr. KEARNEY. In other words, you are begging the question.

Mr. BUCHMAN. I am not begging the question. I answered your question. I think you are begging the question.

Mr. KEARNEY. I am not. I think you are.

Mr. BUCHMAN. Would we intervene if a foreign foe landed in Mexico?

Mr. KEARNEY. I am not on the witness stand. You are.

Mr. BUCHMAN. That is an advantage you have.

Mr. JACKSON. Mr. Buchman, do you feel the Soviet Union entered into the conflict in any way at all as between North Korea and South Korea?

Mr. BUCHMAN. I have no definite knowledge. I think they admitted when they left North Korea that they left equipment, or sold or gave it to the North Koreans, when they left before the war started.

Mr. JACKSON. Do you believe there was any military and political indoctrination of the North Korean troops by the Russians?

Mr. BUCHMAN. I don't know. There may have been. But in the whole colonial world there are peoples who have been subjugated for centuries by despotic and imperialistic governments, and the people have repudiated those governments.

Mr. JACKSON. Do you feel the United States is an imperialistic and despotic government?

Mr. BUCHMAN. I say the people of this country will ultimately determine our foreign policy, and that is the great hope of America.

Mr. POTTER. You stated that you believed the Korean War was a civil war and that we should have stayed out of the Korean War. Do you think we should have taken a more active part in the war in Spain?

Mr. BUCHMAN. Well, that was a long time ago, but I would say we should have made every effort to keep German and Italian arms from intervening in Spain, and should have done everything in our power to prevent the Italians and Germans from using Spain as a testing ground.

Mr. POTTER. You said that the war in Korea was a civil war and for that reason we should have kept out. I wonder if that same feeling was with you at the time of the civil war in Spain?

Mr. BUCHMAN. I am firmly convinced, as President Wilson stated in his 14 points, of the right of self-determination of peoples of the world. Any other policy represents an infringement on their national sovereignty. I would say that what happened in Spain was an externally armed war in which Italian and German troops and arms participated.

Mr. POTTER. Do you think we have any responsibilities to peoples of the world who are oppressed and may be killed by dictatorships, whether it be a Fascist dictatorship or a Communist dictatorship?

Mr. BUCHMAN. In the war in Spain we did not intervene, and in Korea we did, and what would be the basis of distinction? To answer your other question, it seems to me that when people want a decent living—and all you have to do is look at the statistics and even the New York Times to see the conditions in those countries—it is no answer to give them guns when they want an opportunity to eat, to educate their children, to industrialize.

Mr. POTTER. Do we have a responsibility, and is there a difference in your mind in the case of oppression as to whether it comes from a Fascist dictatorship or a Communist dictatorship?

Mr. BUCHMAN. I believe any country has the right to determine its own form of government, and no outside intervention from any source should be permitted.

Mr. POTTER. Even if a minority group gains control by use of force and arms?

Mr. BUCHMAN. Under that kind of theory, all you have to do is say, "We don't like the kind of government they have over there, therefore it must be imposed by a minority, and therefore we must intervene." It is the same kind of thing as saying that civil-rights legislation is no good because it is subversive.

Mr. JACKSON. Carrying out your policy of nonintervention and self-determination, probably the entire world, or the greater part of the world, today would be under Nazi domination.

Mr. BUCHMAN. When the intention of Nazi domination was made clear, we did intervene for our self-preservation.

Mr. JACKSON. Yes; and many of us believe the intervention in Korea is for our self-preservation.

Mr. BUCHMAN. Would you answer this question: Suppose the natives of a certain country adopt a form of government—the natives do it, but it is hostile to the views of the present government—

Mr. JACKSON. Are you talking about the present Government of the United States?

Mr. BUCHMAN. Yes. Would you say we have a right to intervene anywhere in the world?

Mr. JACKSON. I am not in favor of sending troops to a foreign country to overthrow their form of government, although I am not in favor of their form of government.

Mr. WALTER. If I follow your reasoning, I am just wondering what we ought to do today about Latvia and Estonia and Lithuania, where the male populations have been removed.

Mr. BUCHMAN. The entire male population?

Mr. WALTER. Yes; and they are being replaced by Mongolians. I wonder what our responsibility is in Poland, where 5,000,000 people have been murdered.

Mr. BUCHMAN. Is that Westbrook Pegler? It sounds rather absurd, the entire male population. What did they do with the females in those countries?

Mr. WALTER. The answer is perfectly obvious.

Mr. BUCHMAN. It just doesn't make sense. We have a disagreement of facts.

My point is this, there was a basis provided by the United Nations, the United Nations Relief and Rehabilitation Fund, which granted aid on a nonpolitical basis, and whose purpose was to rehabilitate those areas destroyed by the war. That fund, over the protests, as I recall, by Senator Lehman and Mr. LaGuardia, was destroyed at the insistence of the United States.

It seems to me—and again I defer to The Steps to Peace of the Friends Service Committee, which I don't think is in Subversive Guide of May 14, 1951, for some concrete, fresh, and novel approaches to the question of peace, which requires serious consideration.

Mr. DOYLE. May I say I have finished reading that book this week. Do you rely for your answers on that book?

Mr. BUCHMAN. Not exclusively.

Mr. DOYLE. What else do you rely on?

Mr. BUCHMAN. You don't want me to tell you everything I read, do you?

Mr. DOYLE. I am asking for the foundation for your opinions, if you don't mind. Do you approve of the number of times the Soviet Union has used its veto in the United Nations?

Mr. BUCHMAN. Well, I think that is a rather distorted use of the term veto; not yours, but the newspapers. It was President Roosevelt who said—

Mr. DOYLE. I didn't ask for a speech. You are making a speech.

Mr. BUCHMAN. No, I am not. I don't intend to make a speech.

Mr. DOYLE. Do you approve of the use of the veto as it has been used by the Soviet Union? I understand the origin, and so forth.

Mr. BUCHMAN. What does the veto mean? It seems if there is to be a United Nations there must be unanimity of the Great Powers. If there is no veto, then the United Nations is not fulfilling its purposes, which means there is a divergent point of view.

Mr. DOYLE. Do you favor Communist China being admitted to the United Nations at this time? That is a fair question.

Mr. BUCHMAN. Yes, and I will give you a fair answer.

Mr. DOYLE. What is your answer?

Mr. BUCHMAN. We have no more right saying to China, because its government is one we don't approve of, that it has no right in the United Nations, than England, which has a labor government, has of saying they don't want the United States in the United Nations.

Mr. POTTER. Should we seat Spain?

Mr. BUCHMAN. No; unequivocally no.

Mr. POTTER. How do you explain the difference?

Mr. BUCHMAN. The difference is, Spain was an ally of the governments that we fought in the war. The present Spanish Government bears a responsibility for the losses of thousands of American lives. Franco was placed in power by Germany and Italy.

Mr. POTTER. In other words, you believe in self-determination so long as it is a Communist government?

Mr. BUCHMAN. No; on the contrary.

Mr. POTTER. I wanted to test your position.

Mr. BUCHMAN. I think it is a consistent position.

Mr. DOYLE. We are aware from newspaper reports that four of the convicted Communists jumped bail. You are aware of this?

Mr. BUCHMAN. I read of it.

Mr. DOYLE. Assuming you were not an attorney for any of them—I merely make that assumption for the purpose of this question—assuming that you were not attorney for one or all of them or had no official obligations to them, if you knew where one or all of them were today, would you report it to the FBI so they could be apprehended?

Mr. BUCHMAN (after conferring with Mr. Forer). I suppose I would.

Mr. DOYLE. Would you or wouldn't you?

Mr. BUCHMAN. Yes. Fugitives from justice. Although I would say there that I read a column by I. F. Stone in the Compass which

may be an admission against interest here, I suppose, that once we reach the stage of outlawing political parties, that that kind of thing is to be expected. I don't think anybody approves, certainly, of jumping bail, and I wouldn't condone it, but once we set foot on the path of outlawing political parties, then America is a witness to the spectacle, for the first time, of political prisoners and political refugees. It is a sad thing.

Mr. DOYLE. I notice you objected to certain activities of this committee. I presume, being a lawyer, you have read the section of the law under which we are operating?

Mr. BUCHMAN. Yes.

Mr. DOYLE. You don't object to this committee following those legal instructions, do you?

Mr. BUCHMAN. I would say this. On July 4 I saw a television film, A True Glory, the story of the conquest of Germany by American arms, from Normandy to the Elbe. As American troops neared the Belsen concentration camp, the screen showed—

Mr. DOYLE. I am not asking you to make a speech.

Mr. BUCHMAN. I am not making a speech. I think it is important.

Mr. DOYLE. You have already released the statement that you are trying now to make, to the press. I am asking you that one question: You don't object to this committee fulfilling its legal duty to the American people, do you?

Mr. BUCHMAN. My objection is twofold: first, that you have so distorted the word "subversive" as to make it apply to anything left of slavery; and second, where subversive acts are being committed, like in Alabama, where there is violence, no one is being prosecuted.

Mr. DOYLE. You have read Webster's definition of the word "subversive" have you not?

Mr. BUCHMAN. If you read Truman's speech, he said the British called the Declaration of Independence subversive.

Mr. DOYLE. I was asking you as a lawyer. I am a lawyer, too. If you wanted the strict definition of the word "subversive" you would use Mr. Webster's definition, wouldn't you?

Mr. BUCHMAN. I don't know if I would or not. What is one man's meat is another man's poison. What you consider subversive, I doubt if the average American would consider subversive. I notice you have not passed the civil rights legislation and fair employment practices legislation.

Mr. DOYLE. You people don't give this committee any credit for trying to be fair.

Mr. BUCHMAN. I don't think you have been fair.

Mr. DOYLE. I voted for and supported the FEPC legislation.

Mr. BUCHMAN. I am glad to hear it.

Mr. DOYLE. So you are radically wrong about your opinion of every member of this committee.

Mr. BUCHMAN. When you said you were supported by labor in these hearings, you had to qualify it and say "conservative" labor.

Mr. DOYLE. We do have Communists and radical and subversive people even in the State of California, as well as in Maryland and other States, and we are after that group of people who use subversive activities to undermine this Government, whether in labor, whether employers, whether lawyers, doctors, or preachers.

Mr. BUCHMAN. But you have reached the stage where you no longer look at legislation or determine anything on the merits. Everything is being drowned, by name-calling.

Mr. WALTER. Because you, sir, have made it very difficult for us by advising your clients not to answer questions.

Mr. BUCHMAN. Let me make this clear. In all the cases where I have represented witnesses here—and I am referring to an incident that occurred in executive session—I can only advise my clients as to their legal rights. What they say is their own. I wanted to say something in executive session but didn't, but I want to make it clear here, that is all I can do as an attorney, and all I did do.

I might also say I didn't want to be burdened with so many cases, but the atmosphere of this committee is such that lawyers in Baltimore certainly don't want to come before this committee, sir.

Mr. DOYLE. I can understand why some may not want to. I can understand that as a member of the bar.

Mr. BUCHMAN. I don't think we agree on our reasons.

Mr. WOOD. Gentlemen, we will have to suspend. There is a roll call. We will recess until 2 o'clock.

(Thereupon, at 12:15 p. m., a recess was taken until 2 p. m., of the same day.)

AFTERNOON SESSION

Mr. WOOD. The committee will be in order.

Let the record disclose that there are present the following members of the committee: Mr. Walter, Mr. Doyle, Mr. Jackson, Mr. Velde, and Mr. Wood, a quorum of the committee.

Proceed, Mr. Counselor.

TESTIMONY OF HAROLD BUCHMAN—Resumed

Mr. TAVENNER. Mr. Buchman, Dr. J. E. T. Camper, who was chairman of the Progressive Party of Maryland in 1948, resigned from the Progressive Party of Maryland, according to an issue of the Evening Sun of August 19, 1950, because he found it was, and I quote from the article, "just too much" the position of the Progressive Party of Maryland that the war was provoked by the South Koreans, and that Americans had no business participating in a civil war in any case.

Mr. Henry Wallace in the August 26, 1950, issue of the New Leader announced:

I resigned from the Progressive Party because I felt that the party should support the United States and the United Nations in the Korean War.

Do not these statements by the former chairman of the Progressive Party of Maryland and by the former head of the National Progressive Party indicate to you that the Progressive Party as it was then constituted in Maryland was defending the action of the Communists in Korea?

Mr. BUCHMAN (after conferring with Mr. Forer). Well, I don't think those statements indicate that at all. I already stated my position on the Korean War, and if that is their opinion then that was their opinion, and that is all I would say.

Mr. TAVENNER. Would you disagree with Dr. J. E. T. Camper, chairman of the Progressive Party of Maryland in 1948, when he resigned from the Progressive Party for the reason that he stated?

Mr. BUCHMAN. I think I have made my position clear. Isn't this repeating the same ground?

Mr. TAVENNER. Well, do you agree or not?

Mr. BUCHMAN. Agree with his statement made at that time?

Mr. TAVENNER. Yes.

Mr. BUCHMAN. Well, I have indicated my position is——

Mr. TAVENNER. I do not think your position is clear on it.

Mr. BUCHMAN. I thought I indicated previously that I had felt it was not in the best interests of this country to interfere in the Korean War, that the sacrifice of American lives were not called for, and that the best defense of America is peace, and peace by negotiation, and that there is no problem in this world that is worth destroying the world to solve.

Mr. TAVENNER. Now will you answer my question please?

Mr. BUCHMAN. Well, that was my answer.

Mr. TAVENNER. That is all the answer you will give to it?

Mr. BUCHMAN. I stated my position and that was his position.

Mr. TAVENNER. All right then, let me ask you this question: Are you in agreement with this statement of Mr. Henry Wallace to which I have just referred, where he stated that he resigned from the Progressive Party because he felt that the party should support the United States and the United Nations in the Korean War? In other words, do you agree with Wallace that the Progressive Party was not supporting the United States and the United Nations in the Korean War?

Mr. BUCHMAN (after conferring with Mr. Forer). Are you asking for my opinion or Mr. Wallace's opinion?

Mr. TAVENNER. I don't see how there could be any misunderstanding about that. Will you read the question again to the witness?

Mr. BUCHMAN. If you want my opinion on Mr. Wallace's opinion, I think I have given it and you are just going over it.

Mr. TAVENNER. Read the question.

(The question was read by the reporter.)

Mr. BUCHMAN. Obviously Mr. Wallace stated his reasons at that time and I think it is a matter of common knowledge what the Progressive Party's position was then and is now with respect to the Korean War.

Mr. TAVENNER. I will ask you again, will you answer the question?

Mr. BUCHMAN. Haven't I answered it, sir?

Mr. TAVENNER. No, indeed. The question is whether or not you consider that Mr. Wallace was correct when he stated that the Progressive Party was not supporting the United States and the United Nations in the Korean War.

Mr. BUCHMAN (after conferring with Mr. Forer). All I can say is that Mr. Wallace favored the intervention. The Progressive Party then apparently opposed the intervention. It was a matter of public knowledge then, and that is the answer to the question.

Mr. Wood. We know what they were and are doing. Do you agree with that policy which Mr. Wallace announced?

Mr. BUCHMAN. I don't agree with Mr. Wallace.

Mr. Wood. That answers the question.

Mr. TAVENNER. Not fully; no, sir.

Mr. Wood. Well then, form another question.

Mr. TAVENNER. Did the Progressive Party in 1950 support the United States and the United Nations in the Korean War, or didn't it, in your opinion?

Mr. BUCHMAN (after conferring with Mr. Forer). Well, in my opinion the Progressive Party in 1950 did oppose the intervention in the Korean Civil War.

Mr. TAVENNER. And also failed to support the United Nations in the Korean War?

Mr. WOOD. Doesn't that necessarily follow, Mr. Tavenner?

Mr. TAVENNER. I think so.

Mr. WOOD. The United Nations supported the intervention.

Mr. BUCHMAN. I think we have gone over that.

Mr. TAVENNER. Wasn't that due to the Communist influence of Communist Party members within the Progressive Party?

Mr. BUCHMAN. I refuse to answer that question on the grounds that the answer may tend to incriminate me.

(Representative James B. Frazier, Jr., entered the hearing room; Representative Harold H. Velde left the hearing room.)

Mr. TAVENNER. Do you hold any position now or at any time, or membership, in the National Lawyers Guild?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Were you at any time a member of the professional section of the Communist Party of Baltimore?

Mr. BUCHMAN. I refuse to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Did Eli Isidore Schwartz attend a Communist Party meeting of any character at your residence?

Mr. BUCHMAN. I refuse to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Did Florence Schwartz attend a meeting of any kind in your home of a Communist character?

Mr. BUCHMAN. I refuse to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Did Mabel Chapman attend a meeting of the Communist Party in your home?

Mr. BUCHMAN. I refuse to answer that question on the same ground.

Mr. TAVENNER. According to information in the hands of the committee, Mr. Buchman, you attended a memorial meeting held by the Communist Party in Baltimore in memory of Elsie Smith, formerly full-time, paid employee of the Communist Party of Baltimore. Among the speakers at this meeting we are informed was Mr. George Meyers, labor secretary for district No. 4 of the Communist Party, and Philip Frankfeld, chairman of district No. 4 of the Communist Party, and Dorothy Rose Blumberg, formerly treasurer of district No. 4 of the Communist Party, which meeting was held at the Trinity Baptist Church in Baltimore on March 14, 1949. Did you attend that meeting?

Mr. BUCHMAN. I refuse to answer that question on the ground that the answer may tend to incriminate me.

Mr. TAVENNER. Did you attend the May Day rally of the Communist Party on May 1, 1946, at the Labor Lyceum, 1029 East Baltimore Street?

Mr. BUCHMAN. I refuse to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Did you attend a meeting of any kind, whether Communist or non-Communist, at the home of Dr. Albert Blumberg on April 13, 1946?

Mr. BUCHMAN. I refuse to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Are you employed as counsel by the Communist Party or were you at any time?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground that the answer may tend to incriminate me.

Mr. TAVENNER. Did you attend the William Z. Foster meeting sponsored by the Communist Party of Baltimore, held at Ridgely Hall, Cathedral and Saratoga Streets, Baltimore, on December 3, 1943?

Mr. BUCHMAN. I refuse to answer on the ground that the answer may tend to incriminate me.

Mr. TAVENNER. Are you affiliated in any manner with the Committee to Defend American Freedoms?

Mr. BUCHMAN (after conferring with Mr. Forer). I refuse to answer that question on the ground that the answer may tend to incriminate me.

Mr. TAVENNER. Have you ever heard of the organization?

Mr. BUCHMAN. I refuse to answer the question on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. Did you take part in the publication and circulation of any pamphlet issued by that committee within the past few days?

Mr. BUCHMAN. I refuse to answer that question on the same grounds.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WOOD. Do you have any questions, Mr. Frazier?

Mr. FRAZIER. No.

Mr. WOOD. Mr. Doyle?

Mr. DOYLE. I did not hear the year you were privileged to begin law practice in Baltimore. What year was that?

Mr. BUCHMAN. 1938.

Mr. DOYLE. And have you practiced law right along since that time?

Mr. BUCHMAN. With the exception of 1948.

Mr. DOYLE. And what did you have in that year as your occupation?

Mr. BUCHMAN. I refuse to answer that question on the ground that it may tend to incriminate me, as I previously testified.

Mr. DOYLE. It was just for that one year that you refused to state your profession and how you supported yourself?

Mr. BUCHMAN. That is right, sir.

Mr. DOYLE. Were you in Baltimore that year?

Mr. BUCHMAN. Yes, sir.

Mr. DOYLE. And you were in good health too, I understand. I am just interested why you dropped out one year and refused to tell what you were doing that one year out of all your law practice.

Mr. BUCHMAN. Again I must refuse.

Mr. DOYLE. Were you practicing law that year?

Mr. BUCHMAN. I already stated I must refuse to answer that question on the ground the answer may tend to incriminate me.

Mr. DOYLE. I think you related that you had studied several languages. Have you traveled in Europe at all?

Mr. BUCHMAN. No, sir.

Mr. DOYLE. Or to any other foreign country?

Mr. BUCHMAN. No, sir.

Mr. DOYLE. I think that is all.

Mr. WOOD. Are there any further questions? Mr. Jackson.

Mr. JACKSON. Mr. Buchman, are you a member of the bar association?

Mr. BUCHMAN. Yes, sir.

Mr. JACKSON. Where?

Mr. BUCHMAN. Baltimore bar.

Mr. JACKSON. You represented a number of clients before this committee. Do you know how many you had?

Mr. BUCHMAN. I don't know. Our partnership, jointly (after conferring with Mr. Dubow); I guess about 10 or 12.

Mr. JACKSON. Have any of your clients who you have helped before this committee cooperated with answers as to their affiliation with Communist organizations?

Mr. BUCHMAN. The clients that have come to us we have advised of their constitutional, legal rights when requested and that has been the extent of our service.

Mr. JACKSON. Yes. And have any of them come in and cooperated?

Mr. BUCHMAN. Well, I would say that the record speaks for itself, sir.

Mr. JACKSON. I thought perhaps you might retain it in your own mind without searching the records.

You mentioned there was some discussion here as to judicial oppression and fear that has been engendered in the minds of some attorneys with respect to representing clients before this committee. Has that in any way deterred you in representing clients who approached you and asked you to represent them?

Mr. BUCHMAN. There is a canon of ethics which says that a lawyer must zealously represent clients in any cause, no matter how unpopular the aspect, and I think there is a special challenge to lawyers to rise up and represent the people who might be in need of representation.

Mr. JACKSON. You have not been deterred by fears.

Mr. BUCHMAN. There are others who have been.

Mr. JACKSON. My question pertains specifically to you.

I notice in your statement you say "under the guise of investigating subversives." Do you question that this committee has investigated subversives?

Mr. BUCHMAN. I do.

Mr. JACKSON. Are you naive enough to believe that an Alger Hiss, who extracts from public records top-secret documents and turns them over to enemy agents, and later is confined as a result of perjury arising from those charges, is subversive or not?

Mr. BUCHMAN. I would say I am certainly not naive to believe that hundreds of anti-Semitic organizations and the Ku Klux Klan and other organizations, which are engaged in subversive activities have never engaged the attention of this committee.

Mr. JACKSON. I am asking you if in the Alger Hiss case you believe that such activities are by their very nature subversive?

Mr. BUCHMAN. I am not familiar with the committee's role in the Alger Hiss case.

Mr. JACKSON. The committee's role was extensive in the Alger Hiss case. I want to state that more than guise of investigating subversives, there is a considerable amount of work that has gone into countless cases of subversives.

Mr. BUCHMAN. I want to say there are any number of organizations in this country that feel what this committee has done is to imperil freedom of speech and expression because every activity devoted to civil liberty and rights, which I feel almost are to the left of slavery, has come under attack by this committee.

Mr. JACKSON. You have mentioned that we have attempted to stifle the labor movement. Are you aware of any activity on the part of the two great labor organizations of this country, the CIO and the A. F. of L. to purge themselves of Communist leaders and Communist members in their organizations?

Mr. BUCHMAN. I have read it in newspapers, and I know also the CIO and the A. F. of L.—I don't know of their 1950 convention—but they consistently attacked this committee.

Mr. JACKSON. I might point out that since that time there has been, through some large segments of labor, an inclination to assist the committee in its work.

In other words, to say that we are attempting to stifle labor is to say that a vast majority of the people in this country is in a conspiracy to overthrow labor.

Mr. BUCHMAN. I was here the day the Marine Cooks and Stewards member testified. You didn't ask him if these people were dissatisfied with their conditions. You only asked him for his political affiliations.

Mr. JACKSON. His predetermination before he entered this committee room was to answer no questions which were, in his legal judgment, under the heading of self-incrimination. It was not a case of what questions were asked. He was not going to answer questions, and that has been the tenor of the witnesses.

You mentioned cultural activity. You were for freedom of cultural activity.

Mr. BUCHMAN. Yes.

Mr. JACKSON. Are you familiar with the Maltz case where he wrote an article for the New Masses and was severely criticized by the Communist Party, and in turn recanted his article?

Mr. BUCHMAN. Yes.

Mr. JACKSON. Do you call that freedom of action?

Mr. BUCHMAN. I was in here when this book-shop man testified. There was no question asked about what books are sold by the book shop except one question. If that does not border on the question of book-burning—

Mr. JACKSON. Mr. Buchman, I sat here and heard that man answer question after question on the book shop. The record will bear us out on that question.

Now, on cultural activity, did you hear the statement of Mr. Schulberg who appeared before this committee?

Mr. BUCHMAN. No, sir.

Mr. JACKSON. The Daily Worker has issued an article lauding his book *What Makes Sammy Run*. And the one man in that very outfit who didn't get the word was the literary critic. The next week, having gotten the word, he completely reversed himself and attacked the book. Is that cultural freedom?

Mr. BUCHMAN. I don't know, but do you think it is cultural freedom for this committee to stigmatize as subversive any film, book, play, and so forth, which does not comport with the views of this committee?

Mr. JACKSON. I don't.

Mr. BUCHMAN. Is there anyone empowered with divine authority in America to say what should be produced on the stage and what film should be seen and what should not be exhibited?

Mr. JACKSON. This committee does not set itself up in censorship. Have you been called subversive by this committee?

Mr. BUCHMAN. Well, I have implied from my subpoena I was not in your good graces.

Mr. JACKSON. I think the American people might imply from your refusal to answer questions that some such type might attach, but I do not think this committee—

Mr. BUCHMAN. Can anybody in this committee say my activities have in any way impaired this country or acted detrimentally?

Mr. JACKSON. I think this committee is unable—

Mr. BUCHMAN. This committee or anyone else?

Mr. JACKSON (continuing). To attain a considerable part of your history, which makes it difficult for this committee to consider whether your activities have been detrimental.

Mr. BUCHMAN. I have lived in Baltimore all my life.

Mr. JACKSON. I have no further questions.

Mr. WOOD. Mr. Buchman, you had a candidate from your State to the United States Senate from the Progressive Party by the name of Sam Fox.

Mr. BUCHMAN. I think that was a matter of public record, sir.

Mr. WOOD. You did have such a candidate, didn't you?

Mr. BUCHMAN (after conferring with Mr. Forer). There was such a candidate; yes, sir.

Mr. WOOD. And he was a witness before this committee recently?

Mr. BUCHMAN. Yes, sir.

Mr. WOOD. And you sat by him as his counsel?

Mr. BUCHMAN. Yes, sir.

Mr. WOOD. And you heard his statement before this committee in direct answer to a question as to whether or not he knew you?

Mr. BUCHMAN. Yes, sir.

Mr. WOOD. And he refused to answer on the grounds of self-incrimination.

Mr. BUCHMAN. I don't recall. If you say so, sir, it is enough for me.

Mr. WOOD. The reason I asked those questions was you stated in response to a question that my colleague Mr. Jackson asked you, that as counsel for these various witnesses that you should advise them as to their constitutional rights and I was just a little curious to know whether or not that was one of the pieces of advice you gave Mr. Fox when you were sitting by him and advising him. Is that his constitutional right?

Mr. BUCHMAN. I would have to invoke the right of privacy of the advice of a lawyer to his client.

Mr. WOOD. Mr. Doyle.

Mr. DOYLE. I am again directing this question to the year 1948. Were you in the Government employ in any way in 1948?

Mr. BUCHMAN (after conferring with Mr. Forer). No, sir; I was not.

Mr. WOOD. Counsel, is there any reason why we should not excuse the witness?

Mr. TAVENNER. No, sir.

Mr. WOOD. Very well; the witness will be excused.

(Witness excused.)

HEARINGS RELATING TO COMMUNIST ACTIVITIES IN THE DEFENSE AREA OF BALTIMORE—PART 3

THURSDAY, JULY 12, 1951

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

A subcommittee of the Committee on Un-American Activities met pursuant to call at 10:30 a. m. in room 226, Old House Office Building, Hon. John S. Wood (chairman) presiding.

Committee members present: Representatives John S. Wood (chairman), Francis E. Walter, Harold H. Velde, and Charles E. Potter.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., assistant counsel; Donald T. Appell, investigator; Raphael I. Nixon, director of research; John W. Carrington, clerk; and A. S. Poore, editor.

Mr. Wood. The committee will be in order.

For the purposes of this hearing, let the record show that, acting under the authority vested in me by the resolution creating this committee, I set up a subcommittee composed of Messrs. Walter, Velde, Potter, and Wood. They are all present.

Whom do you have, Mr. Counsel?

Mr. TAVENNER. Mr. Harold Round.

Mr. Wood. Will you hold up your right hand and be sworn, please.

Do you solemnly swear the evidence you give this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROUND. I do.

Mr. BRAVERMAN. Mr. Chairman, I would like the record to show that we are proceeding under protest due to the lack of a quorum.

Mr. Wood. The record will show that a subcommittee is conducting this hearing, and they are all present.

TESTIMONY OF HAROLD LAPIDAS ROUND, ACCOMPANIED BY HIS COUNSEL, MAURICE BRAVERMAN

Mr. TAVENNER. Will you state your full name, please?

Mr. ROUND. Harold Lapidaz Round.

Mr. TAVENNER. Are you represented by counsel?

Mr. ROUND. Yes.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. BRAVERMAN. Maurice Braverman, 119 West Mulberry, Baltimore, Md.

Mr. TAVENNER. When and where were you born?

Mr. ROUND. October 20, 1911, on North Broadway, in the city of Baltimore.

Mr. TAVENNER. Will you outline your educational training?

Mr. ROUND. I attended the public schools in the city of Baltimore, and Johns Hopkins University.

Mr. TAVENNER. What has been your employment record?

Mr. ROUND. I am at present employed by the Hecht Co. of Baltimore as a furniture finisher.

Mr. TAVENNER. What other employment have you had?

Mr. ROUND. I was employed as a school teacher in the public schools of Baltimore.

Mr. TAVENNER. When was that?

Mr. ROUND. From the fall of 1944 to the spring of 1947.

Mr. TAVENNER. Since 1947, then, you have been continuously employed in your present employment?

Mr. ROUND. In that trade, yes, with various firms, and self-employed some of the time.

Mr. TAVENNER. Prior to 1944, how were you employed?

Mr. ROUND. I was employed at the Bethlehem Fairfield Shipyard and Maryland Drydock from 1942 to 1944.

Mr. TAVENNER. Is that the Bethlehem Shipyard at Key Highway?

Mr. ROUND. No. That is the Fairfield Shipyard.

Mr. TAVENNER. At the time you were employed at the Bethlehem Shipyard, was there, to your knowledge, a cell of the Communist Party operating among the employees of that plant, and, if so, I would like for you to tell the committee what you know about the activities of such an organization.

Mr. ROUND. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. TAVENNER. Were you a member of the Communist Party while you were an employee at the Bethlehem Shipyards?

Mr. ROUND. I decline to answer on the same grounds.

Mr. TAVENNER. Were you a member of the Communist Party at any time from 1944 to 1947 when you were employed as a teacher in the public-school system of Baltimore City?

Mr. ROUND. I decline to answer on the grounds that any answer I give might tend to incriminate me.

Mr. TAVENNER. Mr. Round, the committee is in possession of information to the effect that during the days of the existence of the Communist Political Association, and for a short period thereafter, white-collar members of the Communist Party of the city of Baltimore met at 1019 West North Avenue. Did you attend any meetings of any kind at that place?

Mr. ROUND. I decline to answer that question on the same grounds as before stated.

Mr. TAVENNER. The committee is also in possession of information to the effect that the Ben Franklin Club of the Communist Party, which met at 1019 West North Avenue, was divided into three groups, known as the Civic, Arts and Sciences, and White-Collar Clubs.

Did you become associated or affiliated in any manner with the Civic Club of that group?

Mr. ROUND. I decline to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Do you know whether or not any of the following-named persons were members of the Civic Club or the Civic Club group of the Ben Franklin Club of the Communist Party:

Maurice Braverman?

Mr. ROUND. I decline to answer that question on the afore-stated grounds.

Mr. TAVENNER. Are you acquainted with Maurice Braverman?

Mr. ROUND. Yes; I am.

Mr. BRAVERMAN. I am his lawyer. He ought to know me.

Mr. TAVENNER. Jeannette Braverman?

Mr. ROUND. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. TAVENNER. Marcella Avnet?

Mr. ROUND. I refuse to answer that question on the same grounds as before stated.

Mr. TAVENNER. Earl Shargel?

Mr. ROUND. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Jack Sachs?

Mr. ROUND. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Marian Wanderman?

Mr. ROUND. I refuse to answer that question on the ground it might tend to incriminate me.

Mr. TAVENNER. Pauline Zannis?

Mr. ROUND. I decline to answer that question on the same grounds.

Mr. TAVENNER. Louis Pastor?

Mr. ROUND. I decline to answer that question on the same grounds.

Mr. TAVENNER. Leo Alpert [an attorney]?

Mr. ROUND. I decline to answer that question on the same grounds.

Mr. TAVENNER. Selma Stickle?

Mr. ROUND. I decline to answer that question on the same grounds.

Mr. TAVENNER. Helen Schmerler?

Mr. ROUND. I decline to answer the question on the same grounds previously stated.

Mr. TAVENNER. Pete Diamond?

Mr. ROUND. I decline to answer that question on the same grounds.

Mr. TAVENNER. Jean Underwood?

Mr. ROUND. I decline to answer the question on the same grounds previously stated.

Mr. TAVENNER. Were you acquainted with Jean Underwood?

Mr. ROUND. I decline to answer on the same grounds as previously stated.

Mr. TAVENER. Do you know whether or not she was employed as a school teacher in the public-school system of Baltimore?

Mr. ROUND. I decline to answer on the same grounds as previously stated.

Mr. TAVENNER. Mr. Round, do you know whether the Arts and Sciences Club of the Ben Franklin Club of the Communist Party later became known as the Arts, Sciences, and Professions Club?

Mr. ROUND. I decline to answer that question on the ground that any answer I give might tend to incriminate me.

Mr. TAVENNER. Do you know whether Rosanna Kaplan, K-a-p-l-a-n, became chairman of the Arts, Sciences and Professions Club when it became known by that name?

Mr. ROUND. I decline to answer on the same grounds.

Mr. TAVENNER. Are you acquainted with Harold Buchman?

Mr. ROUND. I decline to answer on the grounds it may tend to incriminate me.

Mr. TAVENNER. Are you acquainted with Sid Sokolar?

Mr. ROUND. I decline to answer on the same grounds.

Mr. TAVENNER. Are you acquainted with Louis Pearlman?

Mr. ROUND. I decline to answer on the same grounds.

Mr. TAVENNER. Did you ever attend a meeting of any kind in the basement of Louis Pearlman's home, 2400 Liberty Heights, Baltimore?

Mr. ROUND. I decline to answer on the grounds it may tend to incriminate me.

Mr. TAVENNER. Are you acquainted with Sam Schmerler?

Mr. ROUND. I decline to answer on the same grounds.

Mr. TAVENNER. Do you know whether or not Sam Schmerler was press director of the white-collar section of the Communist Party?

Mr. ROUND. I decline to answer on the same grounds.

Mr. TAVENNER. Are you acquainted with Irving Kandel?

Mr. ROUND. I decline to answer on the same grounds.

Mr. TAVENNER. Do you know whether Mr. Irving Kandel became an employee of Glenn L. Martin's?

Mr. ROUND. I decline to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Do you not know that your name was given by him as a reference at the time of his employment?

Mr. ROUND. I decline to answer on the same grounds.

Mr. TAVENNER. Did you make a recommendation or a statement of any character with regard to Mr. Kandel?

Mr. BRAVERMAN. Will you repeat the question, please?

Mr. TAVENNER. Did you make a statement to Glenn L. Martin in recommendation of Mr. Kandel at the time he sought employment with that concern?

Mr. ROUND (after conferring with his counsel). I decline to answer the question on the ground it may tend to incriminate me.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WOOD. Mr. Walter, any questions?

Mr. WALTER. Yes. Yesterday Mrs. Markward made the very plain assertion that your counsel was a member of the Communist Party, and I think, in the interest of fair play, Mr. Braverman should be given an opportunity here now to deny Mrs. Markward's statement.

Mr. BRAVERMAN. Mr. Walter, I am not here as a witness. I am here as a counsel. And it would be beneath any dignity to answer any stool pigeon. I wouldn't answer any stool pigeon anywhere.

Mr. WALTER. You may feel Mrs. Markward is a stool pigeon. I think she is a good American. I think now that you have an opportunity to answer her accusation, you should avail yourself of that opportunity.

Mr. BRAVERMAN. We have a difference of opinion, sir.

Mr. WOOD. Mr. Velde?

Mr. VELDE. No questions.

Mr. WOOD. Mr. Potter?

Mr. POTTER. No questions.

Mr. WOOD. Any further questions, Mr. Counsel?

Mr. TAVENNER. No, sir.

Mr. WOOD. Is there any reason why this witness should not be excused from further attendance on this committee?

Mr. TAVENNER. No, sir.

Mr. WOOD. All right. You are excused.

(Witness excused.)

Mr. WOOD. That is a quorum call.

At the time the committee recessed yesterday until 10:30 today, I had no knowledge that the Congress would meet at 11, and it has, and a quorum call is on now, so I feel we can probably save time and work more rapidly if we take a recess at this point until 2 o'clock. Until that time we stand at recess.

(Thereupon, at 11:10 a. m., a recess was taken until 2 p. m. of the same day.)

HEARINGS RELATING TO COMMUNIST ACTIVITIES IN THE DEFENSE AREA OF BALTIMORE—PART 3

FRIDAY, JULY 13, 1951

UNITED STATES HOUSE OF REPRESENTATIVES,
COMMITTEE ON UN-AMERICAN ACTIVITIES,
Washington, D. C.

PUBLIC HEARING

The Committee on Un-American Activities met, pursuant to call, at 2 p. m., in room 226, Old House Office Building, Hon. John S. Wood (chairman) presiding.

Committee members present: Representatives John S. Wood (chairman), Francis E. Walter, Clyde Doyle, James B. Frazier, Jr., Bernard W. Kearney.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., assistant counsel; Donald T. Appell, investigator; Raphael I. Nixon, director of research; John W. Carrington, clerk; and A. S. Poore, editor.

Mr. WOOD. The committee will be in order.

Let the record show that there are present the following members of the committee: Messrs. Walter, Doyle, Frazier, Kearney, and Wood.

Who is the first witness this afternoon, Mr. Counsel?

Mr. TAVENNER. Thelma Gerende.

Mr. WOOD. Will you stand and be sworn, please?

Do you solemnly swear that the evidence you give this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. GERENDE. I do.

Mr. WOOD. Have a seat.

TESTIMONY OF THELMA GERENDE, ACCOMPANIED BY HER COUNSEL, JOSEPH FORER

Mr. TAVENNER. What is your full name, please?

Mrs. GERENDE. Thelma Gerende.

Mr. TAVENNER. Are you represented by counsel?

Mrs. GERENDE. I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. FORER. Joseph Forer, 711 Fourteenth Street NW., Washington, D. C.

Mrs. GERENDE. Mr. Chairman, before we proceed, I would like to read a statement.

Mr. WOOD. If you have a statement that you would like to submit to the committee, just leave it with the clerk.

Mr. TAVENNER. Is Thelma Gerende your married name?

Mrs. GERENDE. Gerende is; yes.

Mr. TAVENNER. When and where were you born, Mrs. Gerende?

Mrs. GERENDE. I was born in Baltimore, Md., July 26, 1911.

Mr. TAVENNER. Will you state to the committee, please, what your educational training has been?

Mrs. GERENDE. I went through elementary school, junior high school, was graduated from the Western High School in Baltimore and I graduated from the Maryland State Normal School, in Towson, Md., after which I went to Columbia University for 2 years.

Mr. TAVENNER. When were you at Columbia University?

Mrs. GERENDE. I was there in broken periods between 1931 and 1933.

Mr. TAVENNER. Where do you now reside?

(At this point Representative Donald L. Jackson entered the hearing room.)

Mrs. GERENDE. Baltimore, Md.

Mr. TAVENNER. How long have you lived in Baltimore?

Mrs. GERENDE. All my life.

Mr. TAVENNER. What is your present place of residence in Baltimore?

Mrs. GERENDE. You mean the address?

Mr. TAVENNER. The address.

Mrs. GERENDE. 4322 Reisterstown Road.

Mr. TAVENNER. How are you now employed, or what is your profession?

Mrs. GERENDE. I am a bookkeeper working for a commercial concern.

Mr. TAVENNER. How long have you had that employment?

Mrs. GERENDE. Oh, this job I have had for about 5 weeks.

Mr. TAVENNER. Will you state to the committee what your other employment record has been?

Mrs. GERENDE. Well, for a period——

Mr. TAVENNER. From the time that you completed your educational training at Columbia University.

Mrs. GERENDE. In the period before I went to Columbia, I substituted in the Baltimore school system for a short time. Then, after Columbia, I was employed by the Home Owners' Loan Corporation.

Mr. TAVENNER. What was the date of your employment there?

Mrs. GERENDE. That was about—either the latter part of—it was around 1934 to about 1940. It was 6 years that I worked for the HOLC.

Mr. TAVENNER. All right. And then what was your employment after that?

Mrs. GERENDE. I transferred—I was transferred to the Chemical Warfare Service at Edgewood Arsenal, Md.

Mr. TAVENNER. How long were you employed there, please?

Mrs. GERENDE. About 2½ years.

Mr. TAVENNER. That would bring you up to approximately 1942?

Mrs. GERENDE. 1942 is correct.

Mr. TAVENNER. What was your employment after that time?

Mrs. GERENDE. After that time I was not employed until May 1943.

Mr. TAVENNER. What was your employment then?

Mrs. GERENDE. At that time I was employed by local 43 of the Shipyard Workers' Union.

Mr. TAVENNER. Was that full-time employment?

Mrs. GERENDE. Yes, it was.

Mr. TAVENNER. What was the nature of the employment?

Mrs. GERENDE. I was office manager.

Mr. TAVENNER. How long were you employed in that capacity?

Mrs. GERENDE. About 2 years.

Mr. TAVENNER. After that date, how were you employed? That would be about 1945, I take it.

Mrs. GERENDE. After that I was employed by the Baltimore Industrial Union Council, CIO.

Mr. TAVENNER. How long were you employed there?

Mrs. GERENDE. About a year.

Mr. TAVENNER. After that time, how were you employed?

Mrs. GERENDE. I went into my own business for a while. I set up a letter service and multilith service.

Mr. TAVENNER. How long did you continue that business?

Mrs. GERENDE. A little less than a year.

Mr. TAVENNER. Will you state what your employment from that time on was, on up until the time of your present employment?

Mrs. GERENDE. From that time on?

Mr. TAVENNER. Yes.

Mrs. GERENDE. Right after that I was ill; and I was not employed for a year and a half. Then, about September of 1949 to about January of 1950 I was employed by a commercial concern. Then, I was not employed—well, after that there was another job that I had for another commercial concern—I worked there two different periods—and now I am employed by a different company.

Mr. TAVENNER. When you were employed by the Home Owners' Loan Corporation in Baltimore between 1934 and 1940, were you a member of the United Federal Workers of America?

(Mrs. Gerende confers with her counsel.)

Mr. FORER. What was the name again?

Mr. TAVENNER. United Federal Workers of America.

Mrs. GERENDE. I am not sure, but I don't believe so.

Mr. TAVENNER. Are you uncertain because of the possibility of the name having been changed?

Mrs. GERENDE. No, no.

Mr. TAVENNER. The name of this organization was changed to United Public Workers.

Mrs. GERENDE. I understand that.

Mr. TAVENNER. Are you familiar with that?

Mrs. GERENDE. Yes.

Mr. TAVENNER. Were you a member of that organization?

Mrs. GERENDE. I do not remember.

Mr. FORER. At any time, or during this period?

Mr. TAVENNER. During the period that you were with the Home Owners' Loan Corporation.

Mrs. GERENDE. No; I wasn't.

Mr. TAVENNER. Were you a member at any time of the organization, under either of the two names that I have mentioned?

Mrs. GERENDE (after conferring with her counsel). Yes; I was.

Mr. TAVENNER. Did you hold an official position?

Mrs. GERENDE. No; not that I remember.

Mr. TAVENNER. When were you a member of it?

Mrs. GERENDE. I was a member of it about 1940 to 1942, in that period; not the entire time.

Mr. TAVENNER. Will you tell us the names of the officers at that period of time, while you were a member?

Mrs. GERENDE. I don't remember. I don't remember any officers.

Mr. TAVENNER. You have spoken of your employment with local 43 of the Marine Shipbuilding Workers. What did you say was your official position with that local?

Mrs. GERENDE. My official position was that of office manager.

Mr. TAVENNER. Who was the president of it at the time you held that position, which I understand was between May 1943 and some date in 1945?

Mrs. GERENDE. There were two presidents during the time I was there.

Mr. TAVENNER. Will you give us their names, please?

Mrs. GERENDE. The first was a Mr. Manor.

Mr. TAVENNER. Do you know his first name?

Mrs. GERENDE. I think it was George.

Mr. TAVENNER. How do you spell the last name?

Mrs. GERENDE. I believe it is M-a-n-o-r.

Mr. TAVENNER. Who was the other?

Mrs. GERENDE. Paul J. Cusic.

Mr. TAVENNER. Who was the business agent of that local at the time you were office manager?

Mrs. GERENDE. Walter McManamon.

Mr. TAVENNER. Had Walter McManamon been president of local 43 at any time? I believe Mr. Walter McManamon has testified here that he was president of the Baltimore Industrial Union Council. Is he the same person to whom you referred?

Mrs. GERENDE. I think so.

Mr. TAVENNER. Do you know the name of his assistant, the assistant business agent?

Mrs. GERENDE. There were several who were, and they changed over the course of months. Sometimes there weren't any.

Mr. TAVENNER. Will you give us the names of all of them, please, regardless of the length of time that they served?

Mrs. GERENDE. For a short period there was a Mr. Merchant, and at another time a Mr. Adams.

Mr. TAVENNER. Was Sam Fox one of them?

Mrs. GERENDE. No.

Mr. TAVENNER. Did you say "No"?

Mrs. GERENDE. Not to my knowledge; not during the period I was there.

Mr. TAVENNER. Did Mr. Sam Fox have any position in local 43 at the time you were the office manager?

Mrs. GERENDE. No.

Mr. TAVENNER. Was he a member of that local?

Mrs. GERENDE. That I don't know.

Mr. TAVENNER. Was Connie Jackson employed by local 43?

Mrs. GERENDE. What was that name?

Mr. TAVENNER. Connie, C-o-n-n-i-e, Jackson.

Mrs. GERENDE. I have never heard of that.

Mr. TAVENNER. Are you acquainted with Connie Jackson?

Mrs. GERENDE. No; I am not.

Mr. TAVENNER. The committee has been endeavoring to ascertain the extent of Communist Party infiltration into the shipbuilders local 43. Can you give the committee any information regarding that subject?

(Mrs. Gerende confers with her counsel.)

Mr. FORER. Is that a question?

Mr. TAVENNER. Yes. I am asking her if she can give us any information on that subject.

Mr. FORER. Can you make it a little more definite?

Mr. TAVENNER. I think the witness should answer that.

Mrs. GERENDE. I don't know what you mean, Mr. Tavenner.

Mr. TAVENNER. The committee is endeavoring to find out what it can regarding Communist Party membership in local 43, of which you were the office manager. We are now asking you to tell the committee what you know on that subject; in other words, Communist Party membership in local 43.

Mrs. GERENDE. I think I made it very clear that I was the office manager, and conducted the business of the local in an employee capacity, and my work was conducted in that way.

Mr. TAVENNER. Well, I assume that is true; but I am asking you now what knowledge you have of Communist Party membership in that union?

Mrs. GERENDE (after conferring with her counsel). I refuse to answer that question on the grounds that it may incriminate me.

Mr. TAVENNER. Do I understand you to say that your duties related only to the functions of office manager?

Mrs. GERENDE. That is right.

Mr. TAVENNER. To what extent were your duties as office manager influenced by the Communist Party, or members of the Communist Party who were known to you to be such members?

Mrs. GERENDE. I was under the instructions of the officers of the local union, and carried out my work accordingly.

Mr. TAVENNER. Who were the officers to whom you were responsible at that time?

Mrs. GERENDE. Well, I gave you the names of the officers of the union.

Mr. TAVENNER. Do you know whether there was a Communist Party cell within your local at the time you were a member of it?

Mrs. GERENDE. I refuse to answer on the grounds that it may incriminate me.

Mr. TAVENNER. In what organizations, Mrs. Gerende, are you a member at this time?

Mrs. GERENDE (After conferring with her counsel). I refuse to answer on the grounds previously stated.

Mr. TAVENNER. It is a matter of public record that you appealed a case to the Supreme Court of the United States involving the constitutionality of the Ober law of the State of Maryland. That is correct, isn't it?

Mrs. GERENDE. It is a matter of public record.

Mr. TAVENNER. Who bore the expense of that litigation? Did you bear it personally, or was it borne by some of the group, or some other individuals?

Mrs. GERENDE (after conferring with her counsel). The expense—the funds were raised, I understand, by the Progressive Party, on whose ticket I was running as a candidate.

Mr. TAVENNER. Who took the leadership in raising the funds for that work? Who among the members of the Progressive Party?

Mrs. GERENDE. I don't know that anybody could be designated.

Mr. TAVENNER. You mean you were not interested enough in your particular case to know who it was that was responsible for raising the money with which to carry on the litigation in your name?

Mrs. GERENDE. Well, the litigation was carried on in my name as a candidate, of course. The Progressive Party, I assume, had committees set up for this purpose. They had officers, I understand.

Mr. TAVENNER. Who were on the committee?

Mrs. GERENDE (after conferring with her counsel). I refuse to answer that question on the grounds that it may incriminate me.

Mr. TAVENNER. Did you confer about the matter of prosecuting this case on appeal, with members of the Communist Party?

Mrs. GERENDE. I refuse to answer that question for the previously stated reason.

Mr. TAVENNER. What office was it that you were a candidate for, which resulted in this litigation?

Mrs. GERENDE. Which litigation are you referring to?

Mr. TAVENNER. The appeal to the Supreme Court.

Mrs. GERENDE. I was a candidate for Baltimore City Council.

Mr. TAVENNER. Did the law require that you sign an affidavit regarding your membership in any organization that advocated the overthrow of the Government of the State of Maryland?

Mrs. GERENDE. The law at that time, if you are referring to the Ober law—

Mr. TAVENNER. The Ober law; yes.

Mrs. GERENDE. I don't know what the exact wording of that test oath is. There was such an oath that was required of candidates, at that time.

Mr. TAVENNER. Did you sign it?

Mrs. GERENDE. I refused to sign it.

Mr. TAVENNER. Did you refuse to sign it because you were a member of the Communist Party?

Mrs. GERENDE. I refused to sign it because I did not and do not believe in test oaths. It is against my principles.

Mr. TAVENNER. Well, did you refuse to sign it because you were a member of the Communist Party?

Mrs. GERENDE. I just answered your question.

Mr. TAVENNER. And what is your answer?

Mrs. GERENDE. I refused to sign it because I do not and did not believe in test oaths. They are against my principles.

Mr. TAVENNER. Do you mean by that answer to indicate that membership in the Communist Party had no influence whatever on the question of your signing or not signing the affidavit?

Mr. FORER. That is not a fair question, Mr. Tavenner.

Mr. TAVENNER. Yes; I think it is fair; absolutely.

Mr. FORER. It makes all kinds of assumptions. It is a loaded question. She answered your question.

Mr. TAVENNER. The answer is loaded.

Mrs. GERENDE. You are directing this as a very challenge of the Ober law as subversive, and I exercised my due legal rights in contesting that oath; and I might point out that I was not alone in my opposition; that in the November referendums, 70,000 voters of Maryland voted against the Ober law.

Mr. TAVENNER. I understand.

Mrs. GERENDE. They shared the same sentiments.

Mr. TAVENNER. I am not asking you what other people thought. I am asking you if, as a matter of fact, membership in the Communist Party wasn't a reason for your refusing to sign the affidavit?

Mrs. GERENDE (after conferring with her counsel). No; it was not.

Mr. TAVENNER. Were you a member of the Communist Party at that time?

Mrs. GERENDE. I refuse to answer on the grounds it may incriminate me.

Mr. TAVENNER. Didn't you hold membership in the Tom Paine Club of the Communist Party in Baltimore?

Mrs. GERENDE. I refuse to answer on the previously stated grounds.

Mr. TAVENNER. Hadn't you attended meetings of the Tom Paine Club at 119 West North Avenue, in the city of Baltimore?

Mrs. GERENDE. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. In 1949, weren't you responsible for the collection of dues from members of the professional section of the Communist Party in Maryland?

Mrs. GERENDE. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. Do you still state to this committee that the matter of the Communist Party membership had no influence upon your refusal to sign the affidavit?

Mrs. GERENDE. That is right.

Mr. TAVENNER. Under the Ober law?

Mrs. GERENDE. That is correct. When Thomas Jefferson refused to sign the test oath in Virginia, it was not for that reason, either, Mr. Tavenner.

Mr. WOOD. However, he didn't decline to answer whether he was a member of the organization or not.

Mrs. GERENDE. I stated my reason for not——

Mr. WOOD. I understand.

Mrs. GERENDE (continuing). For not answering that.

Mr. WOOD. But you are undertaking to invoke the words of Thomas Jefferson as a criteria for your action. I was simply calling your attention to the fact there is a great dissimilarity.

Mrs. GERENDE. It so happens that the criteria set up by Thomas Jefferson was a source of inspiration to me.

Mr. WOOD. You have a right to avail yourself of that. However, it is an odious comparison to say that you take the position, in justifying your position here, by the example of Thomas Jefferson.

Mrs. GERENDE. Well, when you go into the history of test oaths, you will find that that is nothing new. The Ober test oath is nothing new in our country.

Mr. WOOD. I am talking about an entirely different thing. I dislike personally, because, as I said awhile ago, it is a little odious to ring in the name of a great patriot—no greater American ever lived—and hold him up here as an example that you are following, when you

decline to answer the very question that Thomas Jefferson spent most of his life combating in this country.

Mr. FORER. The position is the same on test oaths.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WOOD. Mr. Walter?

Mr. WALTER. No questions.

Mr. WOOD. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. WOOD. Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. WOOD. Mr. Jackson?

Mr. JACKSON. Just one. I don't know that the witness was asked by counsel whether or not she knew Mr. Fox.

Mr. TAVENNER. Mr. Who?

Mr. JACKSON. Mr. Fox.

Mr. TAVENNER. I thought I asked her that.

Mr. JACKSON. I don't think you did.

Do you know Sam Fox?

Mrs. GERENDE. I refuse to answer that on the grounds it may incriminate me.

Mr. JACKSON. I have no further questions.

Mr. WOOD. I note in your prepared statement which you have filed with the clerk of this committee a suggestion by you as to what the action of this committee should be with respect to certain organizations, and I quote:

How much better it would be for the heavily burdened taxpayer if the committee would turn its attention to investigation of the hundreds of anti-Semitic organizations in existence.

The committee will say to you it is very anxious to do just that, and since you bring it to the attention of the committee, would you please give us the names of some of those hundreds of anti-Semitic organizations that you think the committee should investigate, and also any leads that you have with respect to information we can obtain about them?

Mrs. GERENDE. There is an excellent lead that has been in existence for a considerable length of time.

Mr. WOOD. Let's name an organization first will you?

Mrs. GERENDE. I will name the report that was issued——

Mr. WOOD. You said a hundred organizations. Let's have those first.

Mrs. GERENDE. You asked for a lead, and I think I can give you a very helpful one.

Mr. WOOD. I asked for organizations.

Mrs. GERENDE. I am speaking about the Anti-Defamation League of B'nai B'rith, which has issued a booklet listing the hundreds of organizations, their sources of finances, and fully describing their organization.

Mr. WOOD. Do you insist that the Anti-Defamation League is anti-Semitic?

Mrs. GERENDE. I am giving you a lead as to the source for the information you seek.

Mr. WOOD. I assumed from your statement here that you know some of these organizations, and we would like to have the names of them, if you know them.

Mr. FORER. She told you where to get the names.

Mr. WOOD. I am asking her if she knows. You say there are hundreds of anti-Semitic organizations in existence.

Mrs. GERENDE. I can provide you with those names.

Mr. WOOD. I am asking you to name one.

Mrs. GERENDE. One, very unfortunately, is still existing, which is run by Gerald L. K. Smith; and there is Pelley on the loose with his Silver Shirts, which has never been brought before this committee.

Mr. WOOD. Let me ask you about the Gerald L. K. Smith organization. What good purpose do you think this committee could serve, by calling Gerald L. K. Smith, when he proclaims it from the house-tops itself?

Mrs. GERENDE. Because, if this committee were really investigating subversion, then anti-Semitism just as anti-Negroism is subversion of our democratic principles.

Mr. WOOD. Lady, the only thing on earth that this committee has the power to do is to expose, if possible, any kind of subversive organization. Now, when a man admits that his organization sponsors what you deem to be subversive, and many other people in America deem subversive, and that is, anti-Semitic attitudes, what else can this committee do? You might say that the Ku Klux Klan—

Mrs. GERENDE. This committee has indicated, by failing to bring Gerald L. K. Smith before it—has indicated its sympathy with the cause, because it refuses to label it as subversive.

Mr. WOOD. I am informed—

Mrs. GERENDE. You claim that you are investigating organizations engaging in subversive activities.

Mr. WOOD. I am reliably informed that he has been summoned before this committee, and has appeared before them, and has admitted under oath that he is anti-Semitic.

Mrs. GERENDE. I am not aware of that.

Mr. KEARNEY. Mr. Chairman, the name of Mr. Pelley has been brought up. Isn't it so, that Mr. Pelley served a term in State's prison for his activities in the so-called Silver Shirts, a Fascist organization?

Mrs. GERENDE. I don't know.

Mr. JACKSON. That is correct.

Mr. WOOD. I call attention—

Mr. KEARNEY. I would suggest to the witness that when some of these names are brought up—I will withdraw that.

Mr. WOOD. Yes; the name of Mr. Pelley was brought up. He, likewise, has been subpoenaed before this committee, and has given testimony.

Mr. WALTER. And as a result of his appearance before this committee, was prosecuted and sentenced to jail.

Mr. FORER. To get the record straight, Gerald L. K. Smith went on record in endorsing the Committee on Un-American Activities.

Mr. WALTER. So has the CIO of Baltimore.

Mrs. GERENDE. So has the grand kleagle of the Ku Klux Klan. He has endorsed this committee.

Mr. KEARNEY. I still would like to ask a question. When we are talking about investigating these various organizations, does the wit-

ness think that we ought to investigate the Communist Party for its subversive activities? I will add, in this country?

(Mrs. Gerende confers with her counsel.)

Mr. KEARNEY. That only takes a "yes" or "no" answer.

Mr. WALTER. That is where you are wrong.

Mr. KEARNEY. May I have an answer?

Mrs. GERENDE. Would you mind restating that question, please?

Mr. KEARNEY. It took quite a conference between you and your attorney.

Will the stenographer please read the question?

Mrs. GERENDE. It is my prerogative. Besides, I don't understand it.

Mr. KEARNEY. I am not objecting to your right to confer.

Mr. WOOD. Just read the question.

Mr. FORER. You meant nothing derogatory about her conferring, I hope?

Mr. KEARNEY. I take it that the witness understands the question, and so does counsel.

Mr. FORER. She has forgotten it by now.

Mr. KEARNEY. I don't doubt that, after the lengthy conference.

Mr. FORER. I don't know why you mentioned it.

Mr. WOOD. Will you read the question, please?

(The question was read by the reporter.)

Mrs. GERENDE. I think that you should investigate——

Mr. KEARNEY. Please answer my question. Will you answer "Yes" or "No"?

Mr. FORER. She only got three words out.

Mr. KEARNEY. It might have been the beginning of a speech, I will say to counsel. All I want is a "yes" or "no" answer here.

Mrs. GERENDE. This is quite a contrast, is it not, Mr. Kearney, to this morning?

Mr. KEARNEY. Please answer my question.

Mrs. GERENDE. From what I know, I don't think so.

Mr. WOOD. A moment ago, when I was interrogating you about these hundreds of anti-Semitic organizations, in the course of the discussion, in addition to the organizations of Mr. Gerald L. K. Smith, you mentioned the Ku Klux Klan.

Mrs. GERENDE. Yes, I mentioned the Ku Klux Klan.

Mr. WOOD. The Ku Klux Klan is also an organization of which every member will admit, and does admit, and proclaims from the housetops, that they are anti-Semitic.

Mrs. GERENDE. The Ku Klux Klan is a secret organization, and has been permitted to remain secret.

Mr. WOOD. Just wait a minute and let me finish. And never in one instance have the Ku Klux Klan declined to furnish this committee with a list of its membership, what it stands for, its aims and purposes, where it gets its funds, and what it does with them; and if you want to see a list of the members of the Klan, we have them back here in the files.

Mr. GERENDE. That is very nice cooperation. It must be——

Mr. KEARNEY. As one member of the committee, I will say I am not in favor of the Ku Klux Klan either.

Mrs. GERENDE. I am glad to hear it.

Mr. WOOD. I do not think there is a member of the committee that is. But, they have never sought to conceal their purposes and aims,

or what they are trying to do, like some people who come here and refuse to answer whether they are a member of the Communist Party or not.

Mrs. GERENDE. I don't know whether you put the Ku Klux Klan on the subversive list.

Mr. WOOD. What?

Mrs. GERENDE. In that brochure you have published.

Mr. KEARNEY. Will the witness, to follow up my last question, tell me for my own information why she doesn't think that the Communist Party of today shouldn't be investigated as a subversive organization?

Mrs. GERENDE (after conferring with her counsel). From what I have read——

Mr. JACKSON. I think the remark that the Klan is not listed should stand corrected in the record, as indicated by the book.

Mr. WOOD. Hand it to him.

Mr. FORER. I looked at it alphabetically. If it is there, I will be glad to point it out.

Mr. WOOD. It is there.

Mr. FORER. Wait a minute. It is there in the appendix, which lists the Attorney General's list; but it is not in the regular text with the big, bold-faced print.

Mr. WOOD. It is listed in the Subversive Guide.

Mr. FORER. It is not listed in the Subversive Guide. It is simply that you have duplicated the Attorney General's list, who happens to have included it. You have not listed it by the committee itself.

Furthermore, if you look at these things, the things that you have in the text proper, you will see all kinds of organizations which say "Cited as subversive by the Committee on un-American Activities on such and such a date." There is no reference here that says that the Ku Klux Klan was ever cited as subversive.

Mr. KEARNEY. You will find organizations cited there by the California State Legislative Committee on un-American Activities.

Mr. FORER. The point I am making is that this committee never cited the Ku Klux Klan, and it never even saw fit to indicate, to include, the Ku Klux Klan in the main text.

Mr. WOOD. We do not care to hear a recitation from you. We wanted to correct your statement, that it was not printed in the book.

Mr. FORER. I didn't say it wasn't printed in the book.

Mr. KEARNEY. I would like an answer to my last question to the witness.

Mr. DOYLE. Would you yield one minute? I wrote down, in order to help refresh the memory of the witness—I wrote down in answer to General Kearney's question, your answer. Your answer was "From what I know, I don't think so." Those were your exact words, as I wrote them down when you answered General Kearney's question as to whether or not you thought that the Communist Party should be investigated. I give you those words to help you refresh your memory as to what your answer was.

Mr. KEARNEY. I thank the gentleman.

Now, I will ask for an answer to my question.

Mrs. GERENDE. Mr. Doyle was so kind as to provide it for me.

Mr. KEARNEY. I will rephrase it.

In answer to the question as to whether or not you thought the Communist Party should be investigated as a subversive organization, you stated in words or substance: "From what I know, I don't think so."

What do you know about the Communist Party and its workings?

Mrs. GERENDE. I have read about it.

Mr. KEARNEY. As a member?

Mrs. GERENDE. I refused to answer that question before, on the grounds that it may incriminate me.

Mr. KEARNEY. You do not think that the Communist Party should be investigated, as a subversive organization?

Mrs. GERENDE. Mr. Kearney, I have made that clear.

Mr. KEARNEY. That you didn't?

Mrs. GERENDE. That I didn't think so.

Mr. WOOD. Will the gentleman yield to me for one question?

When you say you have read—when he asked you about it, and you said "From what I know about it"—wasn't that your answer?

Mrs. GERENDE. I gave you some sources of my information.

Mr. WOOD. Is that the only information you have about the Communist Party, what you have read about it?

Mrs. GERENDE (after conferring with her counsel). I refuse to answer on previously stated grounds.

Mr. KEARNEY. From what publications did you read about the Communist Party?

Mrs. GERENDE. I don't know that I have to list the books that I have read, before this committee.

Mr. KEARNEY. Was it Communist literature?

Mrs. GERENDE. We do still seek to maintain some freedom of the press, Mr. Kearney.

Mr. KEARNEY. Was it Communist literature?

Mrs. GERENDE. I have read all kinds of material.

Mr. KEARNEY. Have you read Communist literature, also?

Mrs. GERENDE. It may have been included in some.

Mr. KEARNEY. Were you ever given any Communist literature to read?

Mrs. GERENDE. I refuse to answer that question on the grounds it may incriminate me.

Mr. KEARNEY. Where did you get the literature from?

Mrs. GERENDE. The literature is sold, Mr. Kearney.

Mr. KEARNEY. All the literature that you read, did you buy?

Mrs. GERENDE. I refuse to answer that question on previously stated grounds.

Mr. KEARNEY. Am I to assume, then, or, will you state: Did any individual ever give you any Communist literature to read?

Mrs. GERENDE. I refuse to answer that question on previously stated grounds. Besides, I don't see why you or anyone else have to query the source of the literature which I might read. As I told you, we see the necessity for protecting the freedom of the press.

Mr. KEARNEY. Let me say—it is probably in response to the questions that are asked you and the answers you give, not only me, but other members of the committee, probably that is why I am so serious.

Mr. WOOD. Mr. Jackson?

Mr. JACKSON. I think one statement made by the witness should not be permitted to stand without some refutation. The witness said

during the course of her testimony that this committee had proved by its actions that it was anti-Semitic. With all due deference, and speaking personally for myself, I will say generally, that anyone who makes that charge lies. I am not anti-Semitic. I am very much pro-American. I have devoted a good part of my life—I don't know what you have done—for peace, but I will match my record against yours.

I have made some concrete contributions in the fight against fascism. This committee is not anti-Semitic, nor does it favor the Ku Klux Klan. It is just as sincerely for civil rights as you are now, as you ever have been, or you ever will be.

In my own case, I voted for the antipoll-tax legislation for the Negro, would vote for antilynch legislation tomorrow, and I personally do not believe that that charge is founded, and I believe that it should be repudiated, that this committee is anti-Semitic in any of its activities.

Some of the finest people in my district, who are most violently anti-Communist, are members of the Jewish faith, and I wish them all the luck in the world.

Mr. KEARNEY. The same goes for my district.

Mr. DOYLE. I join in that statement.

Mr. WOOD. Any further questions?

Mr. DOYLE. So that the witness will understand that the committee is made up of a group of American men who are trying to do a job, I will say to the witness that I voted for the FEPC bill as well.

Another reason I wrote down your answer to General Kearney's question was because as you answered him, you stressed the word "know." You said "From what I know, I don't think so." What is it that you know about the Communist Party which makes you feel that this committee should not fulfill its legal obligation, which is that we investigate subversive activities? What is it about the Communist Party—why shouldn't we investigate it, also? You said that we should investigate certain others. What is it that you know about it?

Mrs. GERENDE (after conferring with her counsel). I am not prepared this afternoon to go through a political dissertation on political parties.

Mr. DOYLE. I realize, of course, that we do not have time for that. I think I observe that you are a very capable person; that you are rather well qualified, apparently, to answer right from the shoulder most of the questions that were asked you—and I do not want to impose, of course, on a long dissertation. I am very sure the way you answered General Kearney, that you must know something about the Communist Party that makes you feel that we should not investigate it. That is what we are interested in, investigating any person or any group of people who are subversive.

Mr. KEARNEY. Will the gentleman yield at that point?

Further following up the gentleman from California's question: From what you know about the Communist Party, in your own opinion do you consider the Communist Party a political party, or a revolutionary party, dedicated to the overthrow of this Government by force and violence?

Mrs. GERENDE. The Communist Party, as I understand it, is a political party.

Mr. WOOD. Pardon me just a moment. Let the record show that Mr. Jackson has been excused from further attendance, and we now have present Messrs. Walter, Doyle, Frazier, Kearney, and Wood.

Mr. KEARNEY. Are the aims and objectives of the Communist Party dedicated to the overthrow of the Government by force and violence?

Mrs. GERENDE. I refuse to answer that question, Mr. Kearney, on the grounds it may incriminate me.

Mr. KEARNEY. I would suggest that you read the statement of William Z. Foster, who is the head of the Communist Party in this country for that answer.

That is all.

Mr. WOOD. Any further questions?

Mr. DOYLE. I do not want to unduly press my question, but I just feel that the young lady must know something pretty definite about the Communist Party that made her answer General Kearney's question that she did not think we should investigate it. I presume—

Mr. WOOD. In that connection, I will say, Mr. Doyle, to the witness, I understood her to say she was not prepared to enter into that sort of dissertation at this time. If she will furnish this committee with a memorandum on that subject, based upon her knowledge of the Communist Party, we will be very happy to have her do so at any time that she wants to submit it.

Mrs. GERENDE. I will consider that matter, Mr. Wood.

Mr. WOOD. I am sure you will.

Mr. DOYLE. May I ask a question, then?

You have stated about your reading of the literature, and you said that the Communist literature, or, you inferred, at least, that the Communist literature which you had read, was sold; in other words, it was purchasable, and we understand that.

For our information, can you give us the names of several publications, or any publication that you have read, that you have purchased, or that is purchasable?

Mrs. GERENDE. I think I made it clear when I answered Mr. Kearney, that I refused to submit to this committee the list of any of the books I have written—I have read.

Mr. DOYLE. I do not question your right to read.

Mrs. GERENDE. It is tantamount to that, certainly.

Mr. DOYLE. Would you help us as Americans, also, to know, or to share the knowledge of the literature on communism which you have read?

Mrs. GERENDE. Very candidly, Mr. Doyle, I don't wish to help this committee.

Mr. DOYLE. I understand you do not. Why do you not?

Mrs. GERENDE. I think I have made my sentiments and what I think about the committee clear in my statement. I think its own history speaks for itself. If you recall, Franklin Roosevelt, back in the 1930's, condemned this committee as a sordid spectacle, and it has not changed its character.

Mr. DOYLE. Oh, yes; it has, very much. In 1930, you would not have had a lawyer by your side, freely to consult with, for instance.

Mrs. GERENDE. It might be a difference of refinement, and that's all.

Mr. DOYLE. A different what?

Mrs. GERENDE. Just a difference of refinements.

Mr. FORER. We lawyers don't rate very high.

Mr. DOYLE. I will say to you, so you will understand my attitude, that I wouldn't remain a member of this committee if this committee did not allow a witness to have counsel in the room. I believe it is fundamental, and I, too, objected, many years ago, to the functioning of this committee when it would not allow a witness to have his lawyer. But those times have changed, and I know every member of this committee, and it is the last thing I want to say to you, to help you to understand that you are just misinformed on what this committee is trying to do. It is the old—I won't use that language—I was going to say it is the old Communist line; but that would be assuming that you are a Communist, and I do not want to do that, because you have protected yourself behind your privilege, of course.

What I wish to say is that this committee, every one of us, is trying to do the job that the United States Congress has asked us to do, and that Congress, by the way, represents you, and it is the law of the land that we shall do the kind of a job we are doing, and we expect you to cooperate, instead of making it more difficult—which I think you have done today—made it more difficult, instead of cooperating with this committee.

Mr. WOOD. Any further questions, gentlemen?

Any further questions, Mr. Counsel?

Mr. TAVENNER. No.

Mr. WOOD. Any reason why this witness should not be excused from further attendance?

Mr. TAVENNER. No, sir.

Mr. WOOD. So ordered.

Mr. TAVENNER. Mr. William W. Hill.

Mr. WOOD. Mr. Hill, will you stand and be sworn, please?

Do you solemnly swear the evidence you give this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HILL. I do.

Mr. WOOD. Have a seat now.

TESTIMONY OF WILLIAM W. HILL, ACCOMPANIED BY HIS COUNSEL, JAMES T. WRIGHT

Mr. TAVENNER. You are Mr. William W. Hill?

Mr. HILL. Yes, sir.

Mr. TAVENNER. Are you represented by counsel?

Mr. HILL. Yes, I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. WRIGHT. My name is James T. Wright. I am a member of the bar of the District of Columbia. I have offices located at 2003 Twelfth Street NW., this city.

Mr. TAVENNER. Mr. Hill, when and where were you born?

Mr. HILL. In Gaffney, S. C., March 24, 1917.

Mr. TAVENNER. Will you briefly outline your educational background?

Mr. HILL. Elementary school and high school graduate.

Mr. TAVENNER. Where do you now reside?

Mr. HILL. At 2802 Woodland Avenue, Baltimore, Md.

Mr. TAVENNER. How long have you lived in Baltimore?

Mr. HILL. Since early in 1937.

Mr. TAVENNER. How have you been employed since your arrival in Baltimore?

Mr. HILL. When I first arrived in Baltimore, I went to work for the Social Security Board. I worked there until May of 1942.

From there I went to work for the Westinghouse Electric Corp., and worked there until September 1949.

Mr. TAVENNER. When did you say your employment began with Westinghouse?

Mr. HILL. In May of 1942.

Mr. TAVENNER. How have you been employed since 1949?

Mr. HILL. I have a radio and television service business.

Mr. TAVENNER. While you were employed at Westinghouse Electric Co. in Baltimore, were you an officer of Local 130, United Electrical, Radio and Machine Workers?

Mr. HILL. Yes, I was.

Mr. TAVENNER. What office did you hold?

Mr. HILL. First, the office of vice president, for 1 year, and the office of president for 2 years.

Mr. TAVENNER. What years were those?

Mr. HILL. I was elected vice president in the fall of 1946, I believe it was—yes.

Mr. TAVENNER. Investigation conducted by the committee has brought to the committee information of the existence of Communist Party cells in Westinghouse during the period of time that you were there. I would like to ask you to tell the committee what you know, if anything, about Communist Party organization or activity among the employees of Westinghouse, while you were there.

Mr. HILL (after conferring with his counsel). I refuse to answer on the grounds my answer might tend to incriminate me.

Mr. TAVENNER. Were you a member of the Communist Party at the time that you held the offices that you referred to in Local 130 of United Electrical Radio and Machine Workers?

Mr. HILL. I refuse to answer for the previously stated reasons.

Mr. TAVENNER. Was Herbert Hirschberg an international representative of UE in Baltimore during the time you were an official of local 130?

Mr. HILL (after conferring with his counsel). Yes, he was.

Mr. TAVENNER. Was he a person known to you to be a member of the Communist Party?

Mr. HILL. I refuse to answer for the previously stated reason.

Mr. TAVENNER. Was Jack Myers an international representative in Baltimore, during the time you were president of local 130?

Mr. HILL. He was an international representative for a period, but I do not believe that he was at the time I was president.

Mr. TAVENNER. But he did hold that position while you were a member of that local; did he not?

Mr. HILL. Yes.

Mr. TAVENNER. Did you have occasion to meet with him?

Mr. HILL. There were—as an international representative of the union, he attended many of the same union meetings that I attended; yes.

Mr. TAVENNER. Did he attend any other meetings besides union meetings?

(Mr. Hill confers with his counsel.)

Mr. TAVENNER. With Jack Myers.

Mr. HILL. I am not sure what type of meetings you are talking about.

Mr. TAVENNER. Well, I am asking you about any type of meetings. (Mr. Hill confers with his counsel.)

Mr. TAVENNER. It is a matter within your knowledge as to what kind of meetings you attended with him, and if you did, just tell us what they were.

Mr. HILL. I refuse to answer on the grounds that it might tend to incriminate me.

Mr. TAVENNER. Was Jack Zucker an international representative of UE in Baltimore during the time you were president of local 130?

Mr. HILL. Yes.

Mr. TAVENNER. Did you meet with him in any meetings other than union meetings?

Mr. HILL. I refuse to answer for the previously stated reason.

Mr. TAVENNER. Was he a person known to you to be a member of the Communist Party?

Mr. HILL. I refuse to answer for the previously stated reason.

Mr. TAVENNER. Was Mr. Herbert J. Nichol international representative of UE in Baltimore during the time you were president of local 130?

Mr. HILL. Not during the time I was president. I believe he came to Baltimore after my last term as president was over.

Mr. TAVENNER. Was that during the period that you were a member of local 130?

Mr. HILL. Yes.

Mr. TAVENNER. Did you meet with Mr. Nichol on union business at any time?

Mr. HILL. He attended certain union meetings that I also attended.

Mr. TAVENNER. Did you attend any meetings other than union meetings with Mr. Herbert J. Nichol?

Mr. HILL. I refuse to answer on the ground that it might tend to incriminate me.

Mr. TAVENNER. Was Mr. Nichol known to you to be a member of the Communist Party?

Mr. HILL. I refuse to answer for the previously stated reason.

Mr. TAVENNER. I have no further questions.

Mr. WOOD. Mr. Walter?

Mr. WALTER. I have no questions.

Mr. WOOD. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. WOOD. Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. WOOD. Mr. Kearney?

Mr. KEARNEY. No questions.

Mr. WOOD. Any reason why this witness should not be excused from further attendance?

Mr. TAVENNER. No, sir.

Mr. WOOD. So ordered.

(The witness was excused.)

(Testimony of the next witness, Herbert J. Nichol, is printed in another volume under same main title, pt. 1, with subtitle, "Based on Testimony of Mary Stalcup Markward.")

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